

NEVADA FUNERAL AND CEMETERY SERVICES BOARD

AGENDA AND NOTICE OF PUBLIC MEETING

Tuesday, July 14, 2015, at 9:00a.m.

Video-Conference Locations:

Grant Sawyer Building
555 E. Washington Ave., Room 4412
Las Vegas, Nevada
and
Legislative Building
401 South Carson Street, Room 3138
Carson City, Nevada

Please Note: The Board may 1) address agenda items out of sequence to accommodate persons appearing before the Board or to aid the efficiency or effectiveness of the meeting; 2) combine items for consideration by the public body; and 3) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.030)

Public comment is welcomed by the Board, but at the discretion of the chair, may be limited to five minutes per person. A public comment time will be available before any action items are heard by the public body and then once again prior to adjournment of the meeting. The Chair may allow additional time to be given a speaker as time allows and in his/her sole discretion. Once all items on the agenda are completed the meeting will adjourn. Prior to the commencement and conclusions of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment.

Action by the Board on an item may be to approve, deny, amend, or table.

- 1. Call to order, roll call, establish quorum**
- 2. Public comment**

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

3. **Discussion, recommendation, and possible action regarding review and approval of minutes of meetings (For possible action)**
a) April 14, 2015
4. **Discussion regarding Southern Nevada Veteran's Memorial Cemetery's concerns with Funeral Establishment communication and treatment of veterans (For discussion only)**
5. **Discussion, recommendation, and possible action regarding Consent Decrees for case number FB15-02 (For possible action)**
a) Sunrise Cremation and Burial, Establishment Permit No. EST73
b) David Walters, Funeral Director License No. FD70
6. **Discussion, recommendation, and possible action regarding granting Funeral Director License to Kristen Elaine Anderson (For possible action)**
7. **Discussion, recommendation, and possible action regarding granting Funeral Director License to Geoffrey F. Chiara (For possible action)**
8. **Discussion, recommendation, and possible action regarding granting Reciprocal Embalmer License to Jennifer Ann DiCamillo (For possible action)**
9. **Discussion, recommendation, and possible action regarding granting a Funeral Director License to Jennifer Ann DiCamillo (For possible action)**
10. **Discussion, recommendation, and possible action regarding granting a Funeral Director License to Joseph Michael Palmer (For possible action)**
11. **Discussion, recommendation, and possible action regarding granting a Funeral Director License to Nathan Robert Stiffler (For possible action)**
12. **Discussion, recommendation, and possible action regarding granting a Funeral Director License to Michael Anthony Toth (For possible action)**
13. **Discussion, recommendation, and possible action regarding granting a Reciprocal Embalmer License to Amberly Angelique Walter (For possible action)**
14. **Discussion, recommendation, and possible action regarding request for approval of new managing Funeral Director (For possible action)**
a) Palm Boulder Highway Mortuary - Joseph Michael Palmer
15. **Discussion, recommendation, and possible action regarding granting a Direct Cremation Permit to Simple Cremation, 129 West Lake Mead Pkwy., Suite #21, Henderson, Nevada 89015 (For possible action)**

16. **Discussion, recommendation, and possible action regarding granting a Direct Cremation Permit to National Cremation Society, 11 South Stephanie Street, Suite 140, Henderson, Nevada 89012 (For possible action)**
17. **Discussion, recommendation, and possible action regarding approval of temporary policy for approval of crematory operator certification courses and review of the following crematory operator certification courses (For possible action)**
 - a) Cremation Association of North America (CANA)
 - b) International Crematory, Cemetery, and Funeral Association (ICCFA)
 - c) National Funeral Directors Association (NFDA)
18. **Discussion, recommendation, and possible action regarding changes to NAC 642 and NAC 451 (For possible action)**
19. **Discussion, recommendation, and possible action regarding approval of interlocal agreement for Deferred Compensation (For possible action)**
20. **Financial Reports**
 - a) Regulatory Fee Collection
 - b) FY2015 Budget vs. Actuals
21. **Overview of current complaint status**
22. **Report from Executive Director, Jennifer Kandt**
23. **Report from Senior Deputy Attorney General**
24. **Board member comments**
25. **Discussion regarding future agenda items and future meeting dates**

Meetings scheduled for the following dates:
October 13, 2015
Recommend Meeting Date in December 2015
26. **Public comment**

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)
27. **Adjournment (For possible action)**

Anyone desiring additional information including meeting materials may contact Jennifer Kandt at 775-825-5535. Meeting materials are also available for download from the Board website at <http://funeral.nv.gov> or can be picked up at the following location: 501 Hammill Lane, Reno, NV. The Board is pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Jennifer Kandt at 775-825-5535, no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed. This agenda has been sent to all members of the Board and other interested persons who have requested an agenda from the Board. Persons who wish to continue to receive an agenda and notice of meetings must request so in writing every six months.

**THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED
IN THE FOLLOWING LOCATIONS:**

Reno City Hall One E. First Street Reno, NV 89501	Office of the Attorney General 100 N Carson Street Carson City, NV 89701	Grant Sawyer State Office Building 555 E. Washington Ave. Las Vegas, NV 89101
	Funeral Board Office 501 Hammill Lane Reno, NV 89511	Legislative Building 401 South Carson Street Carson City, Nevada



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

501 Hammill Lane, Reno, NV 89511
Phone (775) 825-5535 * Email nvfuneralboard@fb.nv.gov

AGENDA ITEM 3a: Approval of Minutes

Approval of April 14, 2015 minutes requested.
Attachment: Draft Minutes

NEVADA FUNERAL AND CEMETERY SERVICES BOARD

MINUTES OF MEETING

Tuesday, April 14, 2015, at 9:00a.m.

Video-Conference Locations:

Division of Employment, Training and Rehabilitation
1325 Corporate Blvd., Large Conference Room
Reno, Nevada
and

Division of Employment, Training and Rehabilitation
2800 E. St. Louis, Conf. Room C
Las Vegas, Nevada

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Public comment is welcomed by the Board, but at the discretion of the chair, may be limited to five minutes per person. A public comment time will be available before any action items are heard by the public body and then once again prior to adjournment of the meeting. The Chair may allow additional time to be given a speaker as time allows and in his/her sole discretion. Once all items on the agenda are completed the meeting will adjourn. Prior to the commencement and conclusions of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment.

Action by the Board on an item may be to approve, deny, amend, or table.

1. Call to order, roll call, establish quorum

Members Present

Wayne Fazzino, Chair
Todd Noecker
Wendy Simons
Bart Burton
Tammy Dermody
Loretta Guazzini

Board Staff Present

Jennifer Kandt, Executive Director
Henna Rasul, Senior Deputy Attorney General

2. Public comment

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

3. Discussion, recommendation, and possible action regarding review and approval of minutes of meetings (For possible action)

a) January 20, 2015

Wendy Simons moved to approve. The motion was seconded by Tammy Dermody and carried unanimously.

b) March 27, 2015

Wendy Simons moved to approve. The motion was seconded by Tammy Dermody and carried unanimously.

4. Discussion, recommendation, and possible action regarding Consent Decrees for case number FB14-08 (For possible action)

a) Valley Funeral Home, Establishment Permit No. 71

Tammy Dermody moved to approve. The motion was seconded by Wendy Simons and carried unanimously with Bart Burton recusing due to prior knowledge of the case.

b) Frank Zimmerman, Funeral Director License No. 15

Wendy Simons moved to approve. The motion was seconded by Tammy Dermody and carried unanimously with Bart Burton recusing due to prior knowledge of the case.

5. Discussion, recommendation, and possible action regarding moral character policies and evaluation (For possible action)

Wendy Simons moved to approve the moral character evaluation policy. The motion was seconded by Tammy Dermody and carried unanimously.

6. Discussion recommendation, and possible action regarding various testing issues related to licensees (For possible action)

a) Request authority for Executive Director to make changes to the Nevada Law, Rule, and Regulation test

Jennifer Kandt stated that changes to the test are needed to address questions that are no longer accurate due to legislative changes. She requested authority to make changes to the Law, Rule, and Regulation test required of all licensees. Wendy Simons stated that she would be willing to review any changes to the test and offer input.

Wendy Simons moved to give authority to the Executive Director to proceed with changes to the test. The motion was seconded by Tammy Dermody and carried unanimously.

b) Request from individual for Board to offer the State Board Exam -Sciences section

Jennifer Kandt stated that this would be applicable for individuals who have not completed a 12 month mortuary science program and are therefore ineligible to take the National Board Exam. She indicated that this request was from an individual who completed a 9 month program in California and had never taken the National Board Exam.

Bart Burton stated that he would be against this idea and said that the individual would need to complete the three month section and then take the National Board Exam. Todd Noecker stated that he was in agreement with Bart.

Bart Burton moved to deny request for State Board Exam Sciences section to any applicant. The motion was seconded by Todd Noecker and carried unanimously.

7. Discussion, recommendation, and possible action regarding granting Certificate of Registration as an Apprentice Embalmer to Dale Deckard (For possible action)

Tammy Dermody moved to approve. The motion was seconded by Wendy Simons and carried unanimously.

8. Discussion, recommendation, and possible action regarding granting Certificate of Registration as an Apprentice Embalmer to Blanca Edith Garcia Gomez (For possible action)

Jennifer Kandt stated that the applicant had previously been granted a Certificate of Registration as an Apprentice Embalmer, but that the applicant had not completed the apprenticeship. She stated that applicant did not appear to have the 60 semester or 90 quarter hours of non-mortuary science courses required by statute. Additionally, she stated that there were several criminal charges that may present a moral character issue.

There was discussion that the applicant did not meet the qualifications even though she had previously been granted an apprenticeship under the previous Board. There was further discussion that was not necessary to consider the moral character issue as she did not meet the other qualifications.

Tammy Dermody moved to deny the application. The motion was seconded by Loretta Guazzini and carried unanimously with Todd Noecker recusing as the applicant was a former employee of his company.

9. Discussion, recommendation, and possible action regarding granting Reciprocal Embalmer License to Joel Alan Kuehn (For possible action)

Wendy Simons moved to approve. The motion was seconded by Loretta Guazzini and carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.

10. Discussion, recommendation, and possible action regarding granting a Funeral Director License to Joel Alan Kuehn (For possible action)

Wendy Simons moved to approve. The motion was seconded by Loretta Guazzini and carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.

11. Discussion, recommendation, and possible action regarding granting a Funeral Director License to Lyle Pahl Meyer (For possible action)

Loretta Guazzini moved to approve. The motion was seconded by Wendy Simons and carried unanimously.

12. Discussion, recommendation, and possible action regarding granting a Funeral Director License to Troy M. Smith (For possible action)

Wendy Simons moved to approve. The motion was seconded by Bart Burton and carried unanimously.

13. Discussion, recommendation, and possible action regarding granting a Funeral Establishment Permit to Las Vegas Cremations at 5555 W. Charleston Blvd., Las Vegas, Nevada (For possible action)

Jennifer Kandt stated that an inspection had already been completed. She stated that the establishment had corrected several issues identified.

Wendy Simons moved to approve. The motion was seconded by Bart Burton with Todd Noecker recusing as he is associated with the location.

14. Discussion, recommendation, and possible action regarding length of time for issuance of death certificate (For possible action)

There was discussion that this is how another agency functions, and it is not in the purview of the Funeral Board to intervene in the action of the health departments.

15. Discussion, recommendation, and possible action regarding SB286 which revises provisions related to the funeral industry. (For possible action)

Link to the Bill can be found at the following location:
<http://leg.state.nv.us/Session/78th2015/Bills/SB/SB286.pdf>

Executive Director reported that bill was progressing and no action was needed.

16. Discussion, recommendation, and possible action regarding approval of an investment policy for reserve funds (For possible action)

Wendy Simons moved to approve. The motion was seconded by Tammy Dermody and carried unanimously.

17. Discussion, recommendation, and possible action regarding FY2016 budget (For possible action)

Tammy Dermody moved to approve the FY2016 budget contingent upon salary changes in item 22. The motion was seconded by Bart and carried unanimously.

18. Financial Reports

a) Regulatory Fee Collection

Jennifer Kandt presented the regulatory fee collection report and indicated that quarterly letters continue to be sent to agencies that fail to submit payment.

b) FY2015 Revised Budget vs. Actuals

Jenifer Kandt presented the budget vs. actuals report.

19. Updates from Board inspector regarding various inspection issues

Peter Shaw reported that he continued inspections across the State and was generally encountering well maintained locations. He stated that he was finding that some locations were using retorts to burn medical waste or other items, and that several locations were using only part of the cremation containers. He also stated that some

locations had shelving that was not impervious to bodily fluids, and that there were various locations with inactive preparation rooms.

20. Overview of current complaint status

Jennifer Kandt presented a spreadsheet detailing an overview of current complaints.

21. Update on Conference testing issues and potential impact on Board

Jennifer Kandt stated that the Conference had invalidated test scores for individuals who had taken the National Board Exams. She stated that if a Nevada licensee had any score invalidated, the Board would need to consider revocation of the license.

She said that she had reviewed the entire list of invalidated scores, and that there were no licensees from Nevada currently on the list.

22. Discussion, recommendation, and possible action regarding one year review of Executive Director, Jennifer Kandt and evaluation of compensation and benefits for Executive Director. This item includes request for Board to join State's Deferred Compensation Plan (For possible action)

Jennifer Kandt presented the compiled review form, and stated that she was requesting compensation at \$75,000 per year. She stated that she provided the Board with salaries of other Executive Directors and stated that she felt it would be prudent for the Board to establish a salary range for this position that would mirror an Administrative Services Officer II and that would provide a minimum and maximum for the position. She stated that would allow the Board to pay less for people with less experience, but also to retain qualified individuals. Jennifer also requested that the Board be allowed to participate in the State's Deferred Compensation Plan at no cost to the Board. She said this would simply allow Board employees to contribute to a retirement account pre-tax.

There was discussion that Jennifer had far exceeded the expectations of the Board and that she had gone above what was required of the position. Board members commented that they were very impressed with how quickly she has learned the profession.

Bart Burton stated that he felt the compensation request was justified.

Wendy Simons moved to approve the evaluation and to increase compensation to \$75,000 per year. The motion was seconded by Tammy Dermody and carried unanimously.

23. Report from Executive Director, Jennifer Kandt

Jennifer Kandt presented report which is included in the meeting attachments.

24. Report from Senior Deputy Attorney General

Senior Deputy Attorney General, Henna Rasul stated that she did not have a report.

25. Board member comments

Chairman Fazzino thanked Board members for their professionalism and hard work.

26. Discussion regarding future agenda items and future meeting dates

Meetings scheduled for the following dates:

July 14, 2015

October 13, 2015

27. Public comment

<p>Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)</p>
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28. Adjournment (For possible action)

Meeting was adjourned at 10:50 a.m.



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AGENDA ITEM 5: Consent Decrees for Case Number FB15-02

Attachment: Manila envelopes labeled 5a and 5b. Do not open until instructed to do so by legal counsel.



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AGENDA ITEMS 6-16: Licensing Items

Attachments:
See attached licensing items



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AGENDA ITEM 17: Crematory Operator Certification Courses

Pursuant to SB286, the Board shall approve crematory operator certification courses. Pending implementation of regulations, it is recommended that the Board implement a temporary policy regarding course approval.

Attachments:

Draft temporary policy for course approval
CANA Course agenda/bios/handbook outline
ICCFA Course agenda/bios/handbook outline
NFDA Course agenda/bios/handbook outline



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Policy 4.0

CREMATORY OPERATOR CERTIFICATION

7/14/15

Pursuant to the provisions of NRS Chapter 642 and NRS Chapter 451, the Nevada Funeral and Cemetery Services Board is charged with the protection of the public health, safety, and welfare by ensuring that only competent and scrupulous persons are licensed and permitted to practice in the funeral and cemetery industry and that the persons who practice maintain an appropriate standard of professional conduct.

NRS Chapter 451 has been revised pursuant to SB286 which requires any persons physically operating crematory equipment to have completed a crematory operator certification course approved by the Board. The following policy shall be in effect for approval of those certification courses pending formal implementation of regulations.

The purpose of this policy is to provide guidance in determining whether a crematory certification course shall be approved and the length of time such approval shall remain valid.

Considerations

1. The Board may approve crematory certification programs pursuant to NRS 451.635 if the course meets the following minimum standards:
 - a) At least 6 hours in length
 - b) Offered on a national level by experts in the field
 - c) Covers at a minimum, best practices, terminology, principles of combustion, basics of equipment operation, and forms and record control
2. Any course approval issued by the Board pursuant to this section shall be valid for a period of 5 years.

The above is intended only to provide guidance for determining whether a course should be approved and is not intended to be all-inclusive. The Board reserves all rights in making the determination on whether a course is suitable for approval.

17a.

CANA Crematory Operations Certification Program Agenda

7:00 – 8:00 AM

Registration and breakfast sponsored by



8:00 - 8:30 AM

Welcome and Introductions

8:30 – 9:00 AM

Introduction to History

- Define Cremation
- Cremation history across cultures

9:00- 10:00 AM

Module 1 - Definition of Terms

- Terminology and Cremation Equipment
- Terminology and Cremation process

10:00 – 10:15 AM

Break

10:15 – 11:30 AM

Module 2 - Equipment & Operations

- Cremation process
- Cremation equipment
- Operation of cremator
- Crematory operator safety

11:30 - 12:30 PM

Lunch sponsored by



12:30 - 2:00 PM

Module 3: Policies & Procedures

- Identification of cremated human remains
- Policies, procedures and recordkeeping
- Minimizing legal risk

2:00 - 2:15 PM

Break

2:15 – 4:00 PM

Module 4: Reducing Legal Risk

- Understand Standards of Practice, Laws and Regulations
- Establish Policies and Procedures to reduce risk
- Improve business practice

4:00 – 4:30 PM

Question & Answers

CANA PRESENTER BIO'S

Robert M. Boetticher Jr.,
CANA Board Member
Carriage Services, Inc.
Boise, Idaho

Bob is a second-generation funeral director. He currently serves as First Vice-President and Treasurer for the Cremation Association of North America (CANA). With over 20 years of experience, Bob is a funeral, cemetery, and cremation expert who is dedicated to improving the funeral profession.

John E. Bayliff
CANA Board Member
Bayliff and Son Funeral Home/Crematory
Cridersville, OH

John E. Bayliff was born in Lima, and moved to Cridersville when he was 2 years old. He was raised in the funeral home business, first cleaning cars, and then helping the ambulance service. He learned from an early age what it means to offer attentive service to families. John continues to set a daily example of what it means to provide the highest level of personal service to those you serve.

After graduating from Cridersville High School, he went on to graduate from Ohio Northern University in Ada, Ohio and The Cincinnati College of Embalming. John is currently a member of the Board of Trustees for Otterbein Homes as well as the Board of Trustees for Community Health Professionals. He also serves on the Board of Directors for Otterbein-Cridersville Retirement Living Community and the Board of Hospice for Caring Way. John is a member of the Ohio Crematory Operators Association, the National Funeral Directors Association, the Ohio Funeral Directors Association, and the Cremation Association of North America. He was recognized in 2009 by the Ohio Funeral Directors Association for 50 years of service as a licensed funeral professional. John also served for 37 years with the Cridersville Volunteer Fire Department.

John is also a member of the Cridersville United Methodist Church. He was a faithful and loving husband to his late wife, Cindy, and has three children, Valery, Chris and Becky. He also has four grandchildren and two great granddaughters.

David M. Daniels

Kelly Crowley & Jennett
Sacramento, CA

David M. Daniels is the managing partner of Gilbert, Kelly, Crowley & Jennett's Sacramento Office. Mr. Daniels has over 20 years of trial and transactional experience in cases involving: professional and medical malpractice, complex insurance coverage, class action litigation, labor and employment law, catastrophic injuries, commercial litigation, and hospitality law. He has successfully litigated numerous cases in California's state and federal courts, in addition to handling a multitude of arbitrations and mediations.

Mr. Daniels has substantial experience in employment practices, risk management, insurance defense, and business law. He has led and counseled executives, corporations, and non-profit organizations on liability and exposure issues throughout his career. Mr. Daniels approaches his client's legal issues with reasonable, creative, and cost-effective solutions. His notable cases include: *Taylor v. Roseville Toyota, Inc.* (2006) 138 Cal.App.4th 994 and *Mills v. Forestex Co.* (2003) 108 Cal.App.4th 625.

He lectures extensively to the business community on issues impacting California business operations. Mr. Daniels is a Board Member and Executive Officer of the Association of Defense Counsel of Northern California.

Chris Farmer, Esq.

CANA Board Member
Houston, Texas

Chris is a graduate of the University of Houston Law Center (J.D., 2001) and Purdue University (B.A., 1998). Chris is knowledgeable in dealing with death care law, labor and employment law, and commercial and general litigation. He currently serves on the Board of Directors for the Cremation Association of North America.

He has considerable experience handling trial and arbitration matters, and has presented briefings before several Texas Courts of Appeals and to the Texas Supreme Court. Mr. Farmer has managed EEOC, OSHA and State Regulatory EEO investigations for employers throughout the United States.

Poul Lemasters, Esq., principal

Lemasters Consulting
ICCFA cremation programs coordinator
Cincinnati, OH

Poul Lemasters is ICCFA's Cremation Programs Coordinator, a licensed funeral director and an attorney with Lemasters Consulting in Cincinnati, Ohio.

Poul began his career in deathcare more than 20 years ago as a funeral director and embalmer. He quickly recognized that the growing risk and liability in deathcare along with the lack of support and resources for those in this profession made for a deadly combination.

Today, Poul uses his unique background in both deathcare and law to provide resources and counsel to other deathcare professionals. He gets calls for assistance in risk management, daily operational conflicts, form and contract reviews, valuations, and regulatory matters.

Mark Matthews

CANA Board Member
Wiefels Cremation and Funeral Services
Palm Springs, California

Mark has seven locations in southern California. Licensed by the state of California as a funeral director, cemetery manager, and crematory manager, Mark is a past president of the Cremation Association of North America (CANA) and recently completed a term as President of the Association of California Cremationists. He is a subject matter expert for the California Department of Consumer Affairs Cemetery and Funeral Bureau, founding president of Diocese of San Bernardino Cemetery Corporation at Our Lady Queen of Peace Cemetery, and is highly regarded as an innovative and creative business owner.

William (Bill) McQueen

McQueen & Siddall, LLP
St. Petersburg, Florida

Bill is a Licensed Funeral Director/Embalmer, CPA and attorney-at-law who focuses his practice in Individual & Family Estate Planning, Business Succession Planning and Wealth & Legacy Protection. He serves as a trusted advisor and experienced problem solver to many family-owned business owners including a number of funeral homes, crematories and funeral acquisition companies located throughout the United States. Bill obtained his Business & Accounting degrees from University of North Carolina-Chapel, his Juris Doctor degree with highest honors from University of Florida College of Law, and his Masters of Law degree in Estate Planning from University of Miami School of Law.

The son of a funeral home owner, he began working part-time at his family's Anderson-McQueen Funeral Home from his middle school years through college. Following his father's death, he obtained his funeral director/embalmer's license and led the family business full-time as its President/CEO for almost 20 years until December 2010. Under his leadership, his

family's business grew from one location doing 500 annual calls to multiple locations handling 2,200 annual calls while contending with a cremation rate skyrocketing from 20% to over 70%. McQueen is well known for his forward thinking approach and integrity. Some of his innovative developments include the Cremation Tribute Center, Pet Passages cremation services, and the introduction of Bio-Cremation to their family funeral business.

Bill has presented to various funeral association and industry meetings in the United States, Canada and Asia. He is a former Board member and past president of the Cremation Association of North America (CANA). He holds the Certified Funeral Service Practitioner (CFSP) designation and has served as a spokesperson for the National Funeral Directors Association (NFDA). Bill is certified as an expert by the Florida court system for cremation liability cases. He is a former principal with the funeral consulting firm, Graystone Associates. Bill resides in St. Petersburg, Florida with his wife and 3 daughters.

John Mitchell

Senior Service Technician
U.S. Cremation Equipment
Altamonte Springs, FL

John joined our company in 2014 and is experienced in the rebuild and repair of all types of cremators. In addition he handles emergency repair for all sorts of equipment. He has over twelve years of experience in the cremation industry that includes crematory operator training.

Lara Price

CANA Legal Counsel
Sheehy, Ware, & Pappas, PC
Houston, TX

Lara Price is a shareholder in the firm's products liability and professional liability sections and has extensive experience in a number of substantive areas of trial practice, including products liability, professional liability, commercial litigation, health care law, premises liability and personal injury and wrongful death. She regularly represents corporations and other business entities and individuals in complex litigation against claims for personal injury, wrongful death and economic loss in state courts throughout Texas and in federal courts in Texas and elsewhere.

CANA PRESENTER BIO'S (continued)

John Raggett

American Crematory Equipment Company
Santa Fe Springs, CA

John Raggett is Vice President/Co-owner of American Crematory Equipment Co. manufacturer & service of both Human and Pet Cremators in North America. He is a California licensed Crematory Manager, a Licensed Crematory Operator Instructor for the Association of the California Cremationist. He has operated and trained operators on every make and model sold in the US. He has also serviced and repaired all makes and models of Cremation Equipment during his 15 years with American Crematory. John is a Proud member of CANA, ICCFA, NFDA, IAOPCC and dozens of State and local Associations that support our industry.

Michael Sheedy, CFSP, HRM

CANA Board Member
Service Corporation International (Canada), ULC
Ottawa, Ontario Canada

Michael has been a funeral director for over 20 years and currently serves on the Board of Directors for the Cremation Association of North America (CANA) and is a member of the Ottawa District Funeral Association. In his tenure with Pinecrest Remembrance Services, he has been part of the creation of Ontario's first full service facility with onsite visitation and receptions.

Larry Stuart, Jr.

Past CANA Board Member
Crematory Manufacturing and Service, Inc.
Tulsa, Oklahoma

Larry is a graduate of Kent State University and is a past member of the Board of Directors of the Cremation Association of North America (CANA) and a former Supplier Liaison. Through his experience Larry has seen first-hand the negative impact that poor crematory maintenance and improper operating procedures can bring about. Larry has spoken at numerous industry events and has conducted crematory operator training classes across North America with a mission to advance the safety of cremation facilities and their employees and to more positively impact our community and our environment.

CANA PRESENTER BIO'S (continued)

Barbara Kemmis

Executive Director

Cremation Association of North America (CANA)

Wheeling, Illinois

Barbara has over 15 years of experience developing and marketing member benefits, providing leadership in professional associations, fundraising and creating professional development opportunities. Most recently the Directors of Member Services at the American Theological Library Association, Chicago, Illinois, she previously served as Vice President of Library and Nonprofit Services at the Donors Forum, Chicago, Illinois. Barbara has a Master's degree in Library Science from Dominican University, a graduate certificate in nonprofit management from North Park University and a B.A. from Earlham College.

Nanette Haase, CMP

Education Manager

Cremation Association of North America (CANA)

Wheeling, Illinois

Nanette has more than 20 years of meeting planning and member service experience in corporate, hotel and association environments. She earned her Certified Meeting Professionals (CMP) designation in 2006 and holds a Bachelor's degree in Business Administration.



**Reducing
Legal Risk**

**Policies &
Procedures**

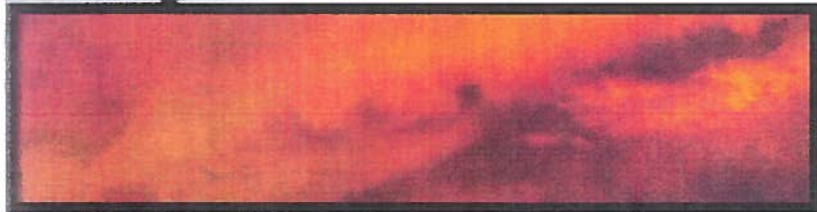
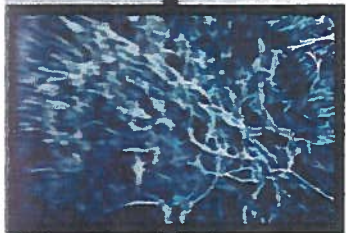
**Equipment
& Operations**

**Definition
of Terms**

CANA
**CREMATORY
OPERATIONS**
CERTIFICATION PROGRAM™

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17b.



AGENDA

Crematory Operator Certification Program

Presented by: Larry Stuart, Jr., President, Crematory Manufacturing & Service, Inc. &
Poul Lemasters, Esq., Lemasters Consulting

8:00 AM – 8:15 AM	Welcome and Introductions
8:15 AM – 10:00 AM	<p>Becoming a Responsible Crematory Operator (Larry & Poul)</p> <ul style="list-style-type: none">• Increase operator safety• Increase environmental awareness and improve quality• Affect community impact and improve public• Understand the regulatory framework that guides the Operator <p>The History of Cremation & Facts & Figures (Larry)</p> <p>Combustion – The Basics (Larry)</p> <ul style="list-style-type: none">• Cremation as defined• Combustion as defined• Combustion Theory as it applied to Cremation Equipment <p>The Anatomy of a Modern Crematory (Larry)</p> <ul style="list-style-type: none">• Classification of Incinerator Technology• Classification of “waste” of human and animal bodies• Detailed discussion of all aspects of a crematory unit and how the design affects the operation
10:00 AM – 10:15 AM	Refreshment Break
10:15 AM – 12:00 PM	<p>Basics of Operation (Larry)</p> <ul style="list-style-type: none">• Detailed instruction on all steps involved in the operation of performing an actual cremation <p>Case Order (Larry)</p> <ul style="list-style-type: none">• How Case Order affects operation <p>Typical Protocols vs. Special Cases (Larry)</p> <ul style="list-style-type: none">• How size and composition of the cast and container affect operation• Detailed instruction on the steps involved in performing an actual cremation on a special case i.e. Large, Infant, Radioactive, etc.

12:00 PM – 1:00 PM	Lunch
1:00 PM – 2:30 PM	Cremation Legal Issues & Ethics (Poul) <ul style="list-style-type: none"> • Identify the forms that are necessary, including: Cremation Authorization; Cremation Permit; Receipt; Log Book • Discussion on why the forms and recordkeeping are crucial • Establish policies and procedures relating to documentation
2:30 PM – 2:45 PM	Refreshment Break
2:45 PM – 4:15 PM	Handling of Human Remains (Larry & Poul) <ul style="list-style-type: none"> • Infection potential pre, during & post embalming • Universal precautions • Sanitation and cleanliness • Regulatory overview of OSHA / Bloodborne Pathogens Cremation and the Environment (Larry) <ul style="list-style-type: none"> • US EPA testing in detail • EPA Conclusion that deceased human and animal remains are not to be considered solid waste and when cremated are not a significant source of harmful emissions • Mercury emissions and the facts • Review of operations specific to reducing any possible pollutant output Crematory Maintenance (Larry) <ul style="list-style-type: none"> • Routine Maintenance • Refractory Maintenance • Mechanical and Combustion Equipment Maintenance • Troubleshooting Cremation Safety (Larry) <ul style="list-style-type: none"> • Review of specific safety components of unit built into the manufacture and design • Loading Door safety • Gas flow safety • Personal Safety Equipment
4:15 PM – 4:30 PM	Review / Questions & Answers



INSTRUCTORS

Crematory Operator Certification Program

Poul Lemasters, Esq., Lemasters Consulting

Poul Lemasters, Esq., is the International Cemetery, Cremation and Funeral Association's (ICCFA) cremation programs coordinator and also serves as a special counsel to the ICCFA on cremation legal issues. He is an attorney and principal of Lemasters Consulting, a funeral profession consulting company. Poul holds both funeral director and an embalmer licenses in Ohio and West Virginia, and he teaches business law at the Cincinnati College of Mortuary Science (CCMS). He formerly served as corporate counsel for the Alderwoods Group. Poul graduated from CCMS in 1996 and from Northern Kentucky University's Chase College of Law in 2003. He is a member of the ICCFA Government & Legal Affairs Committee.

Larry Stuart, Jr., President, Crematory Manufacturing & Service, Inc.

Larry Stuart Jr. is President of Crematory Manufacturing & Service, Inc., a leading manufacturer of technologically advanced cremation equipment. Larry also is a graduate of Kent State University and currently sits on the Board of Directors of the Cremation Association of North America as the Supplier Liaison. Throughout his experience Larry has seen first-hand the negative impact that poor crematory maintenance and improper operating procedures can bring about. Larry has spoken at numerous industry events and has conducted Crematory Operator Training classes across North America with a mission to advance the safety of cremation facilities and their employees and to more positively impact our community and our environment.



Crematory
Manufacturing
& Service, Inc.



CERTIFY

CERTIFIED CREMATORY
OPERATOR CLASSROOM
WORKBOOK



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17c.



Certified Crematory Operator Program™

CCO Seminar - Day, Month 00, 2014

Host:

Location:

Mike Nicodemus, NFDA Vice President, Cremation Services

Mike Watkins, CFSP, NFDA Senior Vice President, Operations

Agenda

7:30-8 a.m.	<i>Registration & Continental Breakfast</i>	
8-8:15	Welcome and Introductions	Mike Nicodemus Mike Watkins
8:15-8:45	1. Introduction to Cremation	Mike Watkins
8:45-9:45	2. Principles of Combustion and Incineration	Mike Nicodemus
9:45-10	<i>Break</i>	
10 a.m.-noon	3. Basics of Cremator Operations and Maintenance	Mike Nicodemus
	4. Cremation and Disposition Authorization	Mike Watkins
	5. Cremation Procedures	Mike Watkins
12-12:45 p.m.	<i>Lunch</i>	
12:45-2	6. The Cremation Process	Mike Nicodemus
2-2:15	<i>Break</i>	
2:15-3:30	7. Shipping Cremated Remains	Mike Nicodemus Mike Watkins
	8. Cremation Safety and Compliance	
	9. Liability	
	10. Public Relations	
3:30-4	Wrap-up; Q&A.	

*Your link to the online CCO certification test will be emailed to you after your full attendance is verified.
Your completed test must be submitted to NFDA no later than Day, Month 00, 2015.*

Lunches Provided by



Markers & Lanyards Provided by





Certified Crematory Operator Program™

NFDA CCO Program Overview

- The NFDA Certified Crematory Operator Program™ (CCO) is approved by the Academy of Professional Funeral Service Practice (APFSP) for 7 CE hours and by most state licensing boards for up to 7 CE hours.
- NFDA is approved as a crematory operator certification provider by most states that require certification as a condition of crematory licensing, including IL, KS, LA, ME, MD, MS, NC, TX, VA, and WV at this time. Other providership approvals are pending.
- It is the obligation of individual certification candidates to ensure they are in compliance with all state training requirements for operators. If required by state laws and regulations, NFDA provides supplementary state-specific material.
- It is the obligation of the individual cremator operator to obtain, reference, and follow the complete instructions published and provided by the manufacturer of the cremation equipment that is operated.
- CCO certification requires passing a 50-question online test (passing score is 70%). All tests are graded by NFDA; pass/fail results only are reported directly to candidates.
- NFDA submits verified attendance reports in accordance with state licensing board requirements within 15 business days and maintains a record of course attendance for a period of 7 years for purposes of verifying attendance at a later date or for purposes of making verification available to a licensing board for inspection.
- CCO seminar course instructors are Michael Nicodemus, NFDA VP, Cremation Services, Michael Watkins, CFSP, NFDA Senior VP, Operations (bios attached, page 2).
- CCO seminars are arranged with accredited mortuary schools, funeral homes, national and state funeral directing associations, and at other training venues on an ongoing basis (2014 and 2015 schedules attached, page 3).

2015 Fees: NFDA or State Association Member \$495 (CE); Nonmember Funeral Director \$655 (CE); Non-Funeral Director Operator \$495; Student Member \$160 (No CE). The fee is inclusive of training program, Cremation Standards for Funeral Service Professionals textbook, test, grading, certification package including certificate and statement of use. Fee also includes refreshments and onsite lunch day of event.

NFDA CCO Presenter Biographies

Michael Nicodemus, Licensed Funeral Director

NFDA Vice President, Cremation Services

Michael Nicodemus is a licensed funeral director and former vice-president of cremation operations at Hollomon-Brown Funeral Homes & Crematory (with 8 locations in Tidewater, Virginia) a position he held for more than 34 years. Mike is licensed to practice in the states of Virginia, North Carolina, and Pennsylvania. A graduate of the Pittsburgh Institute of Mortuary Science, who serves on the Pittsburgh Institute of Mortuary Science Board of Directors, he served as President of the Cremation Association of North America (CANA) from October 2011 to August 2012, and was Chair of the CANA Operators Certification Program for 7 years. Mike has written numerous articles for funeral service trade publications and frequently presents cremation educational sessions to national and state funeral director associations and via distance learning (webinars) to help funeral service professionals understand cremation liability issues and better serve the needs of families selecting cremation.

Michael Watkins, CFSP

NFDA Senior Vice President, Operations

Michael Watkins is a licensed funeral director and embalmer who has been involved in various capacities in funeral service for more than 30 years. Prior to joining NFDA in 2009, he served as executive vice president of Palm Mortuary, Las Vegas, as executive director of Maximum Living Consultants, and as vice president of operations for Carriage Services. Of Palm's 7,000 annual client families, 54 percent selected cremation. Mike helped provide oversight in all facets of operations, including training and development of Palm's 265 employees. He worked closely with prep room and crematory operations management to ensure all processes were properly documented and that staff received the necessary training to remain in compliance and minimize liability. As part of his NFDA responsibilities Mike speaks to national and state funeral director associations on a wide variety of topics, including cremation. In recent years he has presented programs to help funeral professionals better serve the needs of families selecting cremation in 20 states.



Informs ■ Educates ■ Advocates

NFDA Cremation Standards for Funeral Service Professionals

- Note: "It is the obligation of a crematory and cremator operator to follow operations and maintenance instructions published and provided by the manufacturer of the equipment that is used" (Manual, vii).
- Chapters 1, 4, 5, 7, and portions of 9 are directly related to funeral directing practices, addressing ethics, proper disposition authorizations and other legal forms, funeral home due diligence regarding crematory operations, proper funeral merchandising, shipping of cremated remains, and other aspects of funeral directing that are related to the cremation.
- *When required, NFDA adds state-specific laws and rules pertaining to cremation to the agenda.*
- *The Standards is the primary training resource and sole basis of the CCO certification test.*

Outline of Manual

01. Preface

02. Overview

1. Introduction

1.1 Cremation Ethics

Addresses:

- multiple aspects of key provisions of effective oversight of cremation, including written cremation authorization forms, identification prior to cremation, crematory or third-party crematory inspections, crematory operator training, written receipts required (by crematory and funeral home), authorized disposition of unclaimed remains
- ethical considerations related to religious and cultural practices regarding proper treatment of the dead and cremated remains and to assisting families in making arrangements compatible with the cremation family's culture and religious traditions
- NFDA Code of Professional Conduct
- NFDA CCO Code of Ethics

1.2 Serving Cremation Families

- role of the operator in continuum of care for families that choose cremation for loved one
- service to families from first call through arrangements, process, funeral with standards of care, compassion, and attention to personal preferences and needs

1.3 Cremation History, Trends, and Statistics

- history of practice, development in the U.S. since colonial times to present, world practices (to serve different ethnic and religious groups with sensitivity in the cremation process)

- trends and stats about the current U.S. phenomenon to further understanding; addresses reasons for decline of historically traditional funeral in America and innovative directions
- 1.4 Cremation and Funeral Service Terminology

2. Principles of Combustion and Incineration

- 2.1 Principles of Combustion
- 2.2 Principles of Incineration
- 2.3 Incinerator Terminology

3. Basics of Crematory Equipment Operations

- 3.1 Design Requirements
- 3.2 Operating Requirements
- 3.3 Maintenance and Troubleshooting
- 3.4 Recordkeeping

4. Cremation and Disposition Authorization

Introduction

- Meeting state regulations that govern disposition authorization forms used by funeral homes
- 4.1 Written Authorization and Disposition Forms
 - 4.2 Receipt of Decedent Remains by Crematory from Funeral Home
 - 4.3 Authorization to Witness Cremation
 - 4.4 Request to Commingle Cremated Remains
 - 4.5 Receipt of Cremated Remains by Authorized Agent
 - 4.6 Disposition of Unclaimed Cremated Remains

Right of Disposition Scenarios *(16 funeral arrangement scenarios with commentary by NFDA counsel Scott Gilligan)*

5. Cremation Procedures

- 5.1 Importance of Identification Prior to Cremation
- 5.2 Due Diligence Prior to Taking Custody
- 5.3 Cremation Caskets and Containers
 - Federal Trade Commission (FTC) Funeral Rule
- 5.4 Identification System
- 5.5 Time Lapse between Death and Act of Cremation
- 5.6 Recordkeeping

6. The Cremation Process

- 6.1 Identification Prior to Cremation
- 6.2 Pre-Cremation Assessment of Human Remains
- 6.3 Simultaneous Cremations
- 6.4 Operation Sequence under Normal Conditions
- 6.5 Processing/Pulverization Cremated Remains
- 6.6 Transferring/Packing Cremated Remains
- 6.7 Successive Cremations
- 6.8 Disposition of Accumulated Residue of Cremated Remains
- 6.9 Special Cremation Procedures/Case Studies

7. Shipping Cremated Remains

- 7.1 Packaging and Labeling
- 7.2 Domestic Shipping
- 7.3 International Shipping
- 7.4 Hand Carrying Cremated Remains
- 7.5 Mortuary Shipping Companies

8. Cremation Safety and Compliance

- 8.1 State Laws and Regulations
- 8.2 Environmental Laws and Regulations
- 8.3 Safe Crematory Operations: OSHA

9. Liability

- 9.1 Introduction to Liability
- 9.2 Operations Liability and Risk Avoidance
- 9.3 Contract Liability and Risk Avoidance
- 9.4 Environmental Liability and Risk Avoidance
- 9.5 Due Diligence for Funeral Homes Using Third Party Crematories

10. Public Relations

- 10.1 Public Relations and Your Community
- 10.2 New Crematory Construction Zoning Issues

References**Appendix****Index**



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

PMB 186, 4894 Lone Mountain Road, Las Vegas, Nevada, 89130
Phone (775) 825-5535 * Email nvfuneralboard@outlook.com

AGENDA ITEM 18: Draft Regulation Changes

Proposed draft of regulation changes attached. Upon approval, this will be sent to Legislative Counsel Bureau for them to create their version of the changes.

CHAPTER 642 - FUNERAL DIRECTORS, EMBALMERS AND OPERATORS OF CEMETERIES AND CREMATORIES

GENERAL PROVISIONS

[642.010](#) Definitions.

[642.030](#) Funeral establishment: "Inventory of funeral caskets" interpreted.

LICENSING AND FEES

[642.080](#) Temporary authorization to engage in certain regulated activities while application is pending: Issuance; scheduling of application for action by Board.

[642.090](#) Funeral director's license: Transfer to different funeral establishment.

[642.100](#) License to operate crematory: Payment of fees for renewal.

[642.110](#) Certificate of authority to operate cemetery: Payment of fees for renewal.

[642.120](#) Fees: Imposition and amount.

STANDARDS OF PRACTICE

[642.150](#) Location for preparation of funerals.

[642.160](#) Transportation of dead human bodies.

[642.170](#) Grounds for disciplinary action: Misrepresentation of certain authority.

PRACTICE BEFORE THE NEVADA STATE FUNERAL BOARD

[642.180](#) Procedure for disciplinary action.

[642.200](#) Hearings: Location; conduct of participants; filing and service of briefs; continuance.

[642.220](#) Failure to appear at hearing; application to reopen proceedings after failure to appear.

[642.225](#) Oath or affirmation required for testimony.

[642.230](#) Preliminary procedure.

[642.235](#) Order of presentation: Generally.

[642.240](#) Order of presentation: Consolidated hearing.

[642.245](#) Stipulations.

[642.250](#) Official notice by Board.

[642.255](#) Decision or order by Board; service of decision or order; record of hearing.

[642.260](#) Rehearing.

MISCELLANEOUS PROVISIONS

[642.300](#) Apprentice embalmers: "Full-time employees" interpreted.

GENERAL PROVISIONS

NAC 642.010 Definitions. ([NRS 642.063](#)) As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 642.010](#) to [642.0175](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Funeral Bd. by R043-02, eff. 11-26-2003)

NAC 642.030 Funeral establishment: "Inventory of funeral caskets" interpreted. ([NRS 642.016](#), [642.063](#)) The Board interprets the term "inventory of funeral caskets," as used in [NRS 642.016](#), to mean an inventory that consists of one or more of the following:

1. A complete, full-size funeral casket.
2. A partial funeral casket, or cross section of a funeral casket, that:
 - (a) Is executed in the same scale as a full-size casket; and

(b) Includes a portion of a complete casket, and each significant feature or component thereof, sufficient to provide a prospective purchaser with information that is reasonably equivalent to that obtainable from inspection of a complete casket.

3. Photographs of one or more caskets available for viewing in the display room by means of a catalog or connection to the Internet.

(Added to NAC by Funeral Bd. by R021-04, eff. 10-31-2005)

LICENSING AND FEES

NAC 642.080 Temporary authorization to engage in certain regulated activities while application is pending: Issuance; scheduling of application for action by Board. ([NRS 642.063](#), [642.515](#))

1. The Chairman of the Board will issue a temporary authorization pursuant to [NRS 642.515](#), on behalf of the Board, if the applicant meets the requirements of that section and is applying for:

(a) A license as a funeral director pursuant to [NRS 642.340](#);

(b) Approval to manage a funeral establishment pursuant to [NRS 642.345](#);

(c) A ~~license to direct cremations or immediate burials~~ direct cremation facility permit pursuant to [NRS 642.XXX](#); ~~or~~

(d) A permit to operate a funeral establishment pursuant to [NRS 642.365](#); *or*

(e) A license as a funeral arranger pursuant to NRS 642.XXX

2. The application of an applicant who is issued a temporary authorization pursuant to this section must be placed on the agenda of the meeting of the Board next following the approval of the temporary authorization for action by the Board.

(Added to NAC by Funeral Bd. by R043-02, eff. 11-26-2003)

NAC 642.090 Funeral director's license: Transfer to different funeral establishment. ([NRS 642.063](#), [642.345](#))

1. A person who is licensed as a funeral director may apply to the Board for approval to transfer his license from the funeral establishment *or direct cremation facility* which he has been approved to manage to a different funeral establishment *or direct cremation facility*.

2. An application submitted pursuant to this section must be on a form provided by the Board and must be accompanied by:

(a) Payment or proof of payment of the renewal fee or the transfer fee set forth in [NRS 642.0696](#) ~~subsection 3 of NAC 642.120~~; and

(b) Proof satisfactory to the Board that the funeral establishment *or direct cremation facility* to which the applicant wishes to transfer has a valid permit to operate a funeral establishment *or direct cremation facility*.

3. Upon receipt and approval of the items described in subsection 2, the Board will approve a transfer pursuant to this section.

4. Upon approval by the Board of a transfer pursuant to this section, the applicant may not manage the funeral establishment *or direct cremation facility* from which his license was transferred unless he has otherwise been approved by the Board to manage more than one funeral establishment *or direct cremation facility* pursuant to subsection 2 of [NRS 642.345](#).

(Added to NAC by Funeral Bd. by R043-02, eff. 11-26-2003)

NAC 642.XXX Approval to Manage a Location

1. *The Board shall not approve a funeral director to manage a funeral establishment or direct cremation facility unless he or she resides within 120 miles of the location, and can be reasonably available during regular business hours for proper management.*
2. *The Board shall not approve a funeral director to manage more than one funeral establishment or direct cremation facility unless the locations are fewer than 120 miles apart.*
3. *The Board shall not approve a funeral director to manage more than three locations.*
4. *The Board may make an exception to 642.XXX (1) and (2) at their discretion.*

NAC 642.100 License to operate crematory: Payment of fees for renewal. (NRS 642.063, 642.069) Before February 1 of each *even* year, a person who is licensed to operate a crematory pursuant to chapter 451 of NRS shall pay the fee set forth in NRS 642.0696 subsection 7 of NAC 642.120 to renew his license. If he does not pay the required fee before February 1, the licensee shall pay the late fee set forth in NRS 642.0696 subsection 7 of NAC 642.120 in addition to the renewal fee.

The Board will not accept an application for renewal of a license to operate a crematory submitted after March 1 of every even year.

(Added to NAC by Bd. of Funeral Dir., Embalmers, Cemeteries & Crematories, eff. 11-1-95; A by Funeral Bd. by R043-02, 11-26-2003)

NAC 642.110 Certificate of authority to operate cemetery: Payment of fees for renewal. (NRS 642.063, 642.069) Before February 1 of each *even* year, a person who holds a certificate of authority to operate a cemetery issued pursuant to chapter 452 of NRS shall pay the fee set forth in NRS 642.0696 subsection 6 of NAC 642.120 to renew his certificate. If he does not pay the required fee before February 1, the holder of the certificate shall pay the late fee set forth in NRS 642.0696 subsection 6 of NAC 642.120 in addition to the renewal fee.

The Board will not accept an application for renewal of a certificate of authority to operate a cemetery submitted after March 1 of every even year.

(Added to NAC by Bd. of Funeral Dir., Embalmers, Cemeteries & Crematories, eff. 11-1-95; A by Funeral Bd. by R043-02, 11-26-2003)

NAC 642.XXX Renewal of Permits

The Board will not accept an application for renewal of a permit to operate a funeral establishment or direct cremation facility submitted after March 1 of every even year.

NAC 642.XXX Renewal of Licenses

1. *If a licensed funeral arranger, funeral director, or embalmer causes his license to lapse for any reason, the Board may reinstate the license if application is made within 3 years from the date of lapse and is accompanied by:*
 - (a) *All fees, including penalties, from the time of the lapse to the date of reinstatement; and*
 - (b) *All information required to complete the reinstatement.*
2. *After a 3 year lapse, licensee must reapply as a new applicant.*

NAC 642.XXX Apprentice Embalmers; Limitations on Apprenticeships

If a registered apprentice has served two consecutive years as an apprentice embalmer without successfully meeting the needed requirements of the internship pursuant to NRS 642.300, the individual must wait a period of one year prior to applying for a new apprenticeship, and shall receive no credit for previous apprenticeship.

~~— NAC 642.120 Fees: Imposition and amount. (NRS 451.640, 452.026, 452.310, 642.063, 642.069, 642.0696) The Board will charge and collect the following fees:~~

- ~~— 1. For a permit to operate a funeral establishment:~~
 - ~~— (a) Initial application..... \$375~~
 - ~~— (b) Annual renewal..... 200~~
 - ~~— (c) Late renewal..... 275~~
- ~~— 2. For a license to conduct direct cremations or immediate burials:~~
 - ~~— (a) Initial application..... \$375~~
 - ~~— (b) Annual renewal..... 200~~
 - ~~— (c) Late renewal..... 275~~
 - ~~— (d) Placement of license in inactive status..... 175~~
 - ~~— (e) Reactivation of license in inactive status..... 175~~
- ~~— 3. For a funeral director's license:~~
 - ~~— (a) Initial application..... \$375~~
 - ~~— (b) Annual renewal..... 200~~
 - ~~— (c) Late renewal..... 275~~
 - ~~— (d) Examination fee..... 375~~
 - ~~— (e) Application to modify a license pursuant to subsection 2 of NRS 642.345.... 100~~
 - ~~— (f) Placement of license in inactive status..... 175~~
 - ~~— (g) Reactivation of license in inactive status..... 175~~
 - ~~— (h) Transfer of license to another funeral establishment..... 225~~
- ~~— 4. For a certificate of registration as a registered apprentice in the profession of embalming:~~
 - ~~— (a) Annual fee..... \$75~~
 - ~~— (b) Late renewal..... 275~~
- ~~— 5. For a license to practice the profession of embalming:~~
 - ~~— (a) Initial application \$375~~
 - ~~— (b) Examination fee..... 375~~
 - ~~— (c) Issuance of a license to a practitioner who is licensed in another state..... 200~~
 - ~~— (d) Annual renewal..... 200~~
 - ~~— (e) Late renewal..... 275~~
 - ~~— (f) Placement of license in inactive status..... \$175~~
 - ~~— (g) Reactivation of license in inactive status..... 175~~
- ~~— 6. For a certificate of authority to operate a cemetery:~~
 - ~~— (a) Initial application..... \$1,000~~
 - ~~— (b) Annual renewal..... 250~~

—(c) Late renewal.....	275
—(d) Application to change control of existing cemetery.....	375
—(e) Investigation fee for application to change control of existing cemetery.....	250
—7. For a license to operate a crematory:	
—(a) Initial application.....	\$375
—(b) Annual renewal.....	250
—(c) Late renewal.....	275
—(d) Application to change ownership of existing crematory.....	375
—8. Deactivation and reactivation of a license, certificate or permit, other than a license to practice the profession of embalming, a funeral director's license or a license to conduct direct cremations or immediate burials.....	\$175
—9. Duplicate license, certificate or permit.....	\$75
—(Added to NAC by Funeral Bd. by R043-02, eff. 11-26-2003)	

STANDARDS OF PRACTICE

NAC 642.150 Location for preparation of funerals. ([NRS 642.063](#), [642.340](#))

1. Except as otherwise provided in subsection 2, a licensed funeral director shall not engage in the business of preparing for funerals at a place of business which is not the specific street address or location of the fixed place or establishment where the funeral director conducts his business.

2. Upon the request of a member of the family of a dead person, a funeral director may prepare for a funeral at the home of a member of the family or another location designated by a member of the family.

(Added to NAC by Bd. of Funeral Dir., Embalmers, Cemeteries & Crematories, eff. 11-1-95)—
(Substituted in revision for NAC 642.115)

~~NAC 642.160 Transportation of dead human bodies. ([NRS 451.640](#), [642.063](#))~~

~~—1. A licensed funeral director, or a person who holds a license to conduct direct cremations or immediate burials, may transport a dead human body if it is embalmed and prepared by a licensed embalmer.~~

~~—2. A licensed funeral director may transport a dead human body that is not embalmed if the body is:~~

~~—(a) Sealed in a container that is approved by the Board; and~~

~~—(b) Transported in a properly licensed motor vehicle or aircraft owned, operated, chartered or leased by a licensed funeral director or mortuary.~~

~~—3. This section does not apply to the immediate transportation of a dead human body to the care of a funeral establishment.~~

NAC 642.170 Grounds for disciplinary action: Misrepresentation of certain authority. ([NRS 642.063](#), [642.470](#), [642.515](#))

1. For the purpose of taking disciplinary action, pursuant to [NRS 642.470](#), ~~against a person who holds a funeral director's license, a permit to operate a funeral establishment or a license to conduct direct cremations or immediate burials~~, the term:

(a) “Unprofessional conduct” includes, in addition to the conduct set forth in [NRS 642.480](#), stating or implying that the holder of the license or permit is willing to carry out a duty for which a license or permit is required pursuant to [chapter 642](#) of NRS if that duty is not authorized by the holder’s license or permit. For example, advertising in any form, including, without limitation, signs, telephone books, newspapers, messages conveyed by telephone, television, electronic mail and other electronic or photographic means, that states or implies that a proposed funeral establishment, *direct cremation facility, crematory, or cemetery* is an operating funeral establishment, *direct cremation facility, crematory, or cemetery* before the Board has issued all licenses and permits necessary for the operation of the *location establishment*.

(b) “False or misleading advertising” includes, in addition to the conduct set forth in [NRS 642.490](#), advertising that states or implies that the holder of the license or permit is willing to carry out a duty for which a license or permit is required pursuant to [chapter 642](#) of NRS if that duty is not authorized by the holder’s license or permit. For example, advertising in any form, including, without limitation, signs, telephone books, newspapers, messages conveyed by telephone, television, electronic mail and other electronic or photographic means, that states or implies that a proposed funeral establishment, *direct cremation facility, crematory, or cemetery* is an operating funeral establishment, *direct cremation facility, crematory, or cemetery* before the Board has issued all licenses and permits necessary for the operation of the *location establishment*.

2. For the purposes of this section, an applicant for a license or permit who obtains, pursuant to [NRS 642.515](#), a temporary authorization to carry out the duties authorized by the license or permit for which he has applied shall be deemed a holder of that license or permit.

(Added to NAC by Funeral Bd. by R021-04, eff. 10-31-2005)

PRACTICE BEFORE THE NEVADA STATE FUNERAL BOARD

NAC 642.180 Procedure for disciplinary action. ([NRS 642.060](#), [642.063](#))

1. Any person may file an informal complaint with the Board concerning the acts of a licensee or services provided by a licensee. Such an informal complaint filed with the Board must be on a form provided by the Board and include information that is sufficiently detailed to enable the respondent to prepare a response.

2. Upon receipt of an informal complaint, the staff shall examine the complaint to determine whether it:

(a) Has been properly verified; and

(b) Alleges sufficient facts to warrant further proceedings.

3. If the staff determines that the informal complaint against a licensee has been properly verified and alleges sufficient facts to warrant further proceedings, the staff shall notify the respondent by sending a ~~copy of~~ summary of the informal complaint to the licensee by certified mail. The notification must set forth the potential violations of a provision of this chapter or [chapter 451](#) or [452](#) of NAC or [chapter 451](#), [452](#) or [642](#) of NRS arising in the informal complaint and request a response for the review by the Board before a hearing is set. The transmission of the copy or summary of the informal complaint will be deemed to be a notice of intended action pursuant to subsection 3 of [NRS 233B.127](#).

4. Upon the receipt of a ~~copy of~~ summary of an informal complaint that has been filed against him, a licensee shall submit to the Board a written response to the informal complaint within 15 days after the date on which the informal complaint was served. A response to an informal complaint must respond to the allegations made in the informal complaint and be accompanied by all documentation that would be useful to the staff and legal counsel in their review of the

allegations made in the informal complaint and the responses made by the licensee to those allegations. Failure by a licensee to cooperate with the Board during an investigation of an informal complaint, including, without limitation, failing to respond timely to the Board regarding a copy or summary of the informal complaint sent to the licensee by the staff pursuant to this subsection, is a ground for disciplinary action by the Board against the licensee.

5. If a licensee fails to respond as required pursuant to subsection 4, he shall be deemed to have admitted the allegations in the informal complaint. Based on these admissions, the Board may impose appropriate discipline on the licensee at the hearing on the informal complaint.

6. In cases where a response is filed as required pursuant to subsection 4, the staff shall review the informal complaint and the responses made thereto, may enlist the aid of a member of the Board or other qualified persons in the review and may take any other reasonable action necessary to further the review. After their review of the informal complaint and the responses made thereto, the staff may:

(a) Investigate the allegations and employ such persons as they deem necessary to further the investigations;

(b) Consult with experts in the appropriate field, including, without limitation, employing such persons for the purposes of an investigation or a hearing;

(c) Investigate new leads and allegations that may come to their knowledge in the course of the investigation;

(d) Enlist the aid of a member of the Board or other qualified person in the conduct of the investigation; and

(e) Take any other reasonable action necessary to further the investigation.

7. During an investigation of an informal complaint, the staff, or investigator, if any, may demand that a licensee produce his records or other evidence for inspection or copying, with or without prior notice to the licensee, and with or without a subpoena. A licensee shall not deny any such request for records or other evidence if such records or other evidence is not protected by a claim of confidentiality authorized by law. If a licensee refuses or fails to cooperate with a request for records in violation of this subsection, the Board may immediately suspend his license or certificate until the licensee complies with the request for records or other evidence. If the licensee continues to refuse or fail to cooperate with a request for records or other evidence in violation of this section, the Board may take such further disciplinary action against the licensee as the Board determines necessary.

8. If the staff, or investigator, if any, determines that a specific record or other specific evidence is material to or necessary for an investigation, the staff or investigator may remove the record or evidence and provide a copy of the record or evidence to the respondent. If a record or other evidence can be readily copied at the location where the record or evidence is located, the staff or investigator shall make a copy of the record and evidence at that location. If a record or other evidence cannot be readily copied at the location where the record or evidence is located, the staff or investigator may remove the record or evidence from that location to copy the record or evidence. If the staff or investigator removes a record or other evidence to be copied, the staff or investigator shall provide the person to whom the record or evidence being removed belongs with a receipt for the record or evidence and, not later than 5 business days after the record or evidence is removed, provide a copy of the record or evidence to that person.

9. When an investigation of an informal complaint is complete, the staff, and investigator, if any, shall determine whether substantial evidence exists to sustain the alleged violation of a statute or regulation set forth in the informal complaint. If the staff and investigator determine that no

allegation of a violation of a statute or regulation set forth in the informal complaint can be sustained, the staff shall notify, in writing, the complainant and the respondent of this determination. If the staff and investigator determine that a violation of a statute or regulation as alleged in the informal complaint can be sustained, the staff and investigator shall inform the legal counsel of such a determination. The legal counsel shall:

(a) Offer mediation to the respondent, a settlement agreement, stipulation of facts and liability or an informal hearing; or

(b) Prepare a notice of hearing and a formal complaint.

10. A notice of hearing and a formal complaint must:

(a) Be a plain statement of the facts and applicable provisions of statutes and regulations regarding the alleged acts of the respondent alleged to be in violation of the statutes and regulations governing the profession of the licensee;

(b) Include the date, time and place that the Board will hear the matter, if this information is known at the time when the notice of hearing and a formal complaint is sent to the respondent; and

(c) Be signed by the legal counsel and, if a member of the Board was active in the investigation, by that member of the Board.

11. The staff shall send, by certified mail, a notice of hearing and a formal complaint prepared pursuant to subsection 10 to the respondent named in the notice of hearing and the formal complaint.

12. A respondent who receives a notice of hearing and a formal complaint shall file his answer to the notice of hearing and the formal complaint not later than 15 days after the date on which he received the notice of hearing and the formal complaint. An answer to a notice of hearing and a formal complaint filed by a respondent must include a response to each allegation and statement made in the notice of hearing and the formal complaint by either admitting to or denying the allegation or statement. If the licensee fails to file an answer as required pursuant to this subsection, he shall be deemed to have admitted each allegation and statement contained in the notice of hearing and the formal complaint. Based on these admissions, the Board may enter a finding and impose appropriate discipline on the licensee in the same manner as if the allegations had been proven by substantial evidence at a hearing of the Board held on the formal complaint.

13. Not later than 10 days after the filing of the response by the respondent, the legal counsel and the respondent shall exchange a list of the evidence and witnesses that will be used at the hearing. A party may not present evidence it obtains after the date the exchange was required pursuant to this subsection unless it demonstrates to the Board that the evidence or witness was not available upon diligent investigation before the date the exchange was required and that the evidence or witness was given or communicated to the other party immediately after it was obtained.

14. The Board may join two or more formal complaints into one formal complaint if:

(a) The causes of action of each formal complaint are against the same person and deal with substantially the same or similar violations of statutes and regulations; and

(b) The joining of the formal complaints will serve the best interest of the Board, complainant and respondent.

15. A petition filed pursuant to NRS 642.500 will be processed pursuant to the provisions of this section.

16. As used in this section:

(a) "Legal counsel" means the legal counsel of the Board.

(b) “Licensee” means a person licensed by the Board or holding a permit issued pursuant to the provisions of [chapter 451](#), [452](#) or [642](#) of NRS.

(c) “Staff” means the staff of the Board.

(Added to NAC by Funeral Bd. by R043-02, eff. 11-26-2003)

NAC 642.200 Hearings: Location; conduct of participants; filing and service of briefs; continuance. ([NRS 642.060](#), [642.063](#))

1. All hearings conducted by the Board pursuant to [NRS 642.140](#) or [642.500](#) will be held at a place in the State designated by the Board in the notice of the hearing.

2. All persons who attend a hearing shall conduct themselves in a respectful manner.

3. The Board may require each party to file a brief accompanied by proof of service of the brief to the opposing party.

4. Before or during a hearing, the Board may grant a continuance of a hearing, upon proper showing, to allow submission of additional evidence concerning any relevant matter.

(Added to NAC by Bd. of Funeral Dir., Embalmers, Cemeteries & Crematories, eff. 11-1-95)

NAC 642.220 Failure to appear at hearing; application to reopen proceedings after failure to appear. ([NRS 642.060](#), [642.063](#))

1. If a person against whom a charge or petition was filed does not appear at a hearing and a continuance has not been approved by the Board, the Board may hear the testimony of witnesses present at the hearing and consider and dispose of the charge or petition on the basis of the evidence before it.

2. If a person does not appear at a hearing because of illness, involvement in an accident, or for other reasonable cause, he may within 15 days after the date of the hearing apply to the Secretary of the Board to reopen the proceedings. If the Board determines that the reason for the absence was sufficient and reasonable, it will immediately set a time and place for a hearing and give the person notice of the hearing.

(Added to NAC by Bd. of Funeral Dir., Embalmers, Cemeteries & Crematories, eff. 11-1-95)

NAC 642.225 Oath or affirmation required for testimony. ([NRS 642.060](#), [642.063](#)) All testimony considered by the Board at a hearing, except facts which have been noticed by the Board or entered into the record by stipulation of the parties, must be sworn testimony. Each witness shall declare, by oath or affirmation, that he will testify truthfully.

(Added to NAC by Bd. of Funeral Dir., Embalmers, Cemeteries & Crematories, eff. 11-1-95)

NAC 642.230 Preliminary procedure. ([NRS 642.060](#), [642.063](#)) The member of the Board who is presiding at a hearing will call the hearing to order, take the appearances of the parties and act upon any pending motions or petitions. The parties may then make opening statements.

(Added to NAC by Bd. of Funeral Dir., Embalmers, Cemeteries & Crematories, eff. 11-1-95)

NAC 642.235 Order of presentation: Generally. ([NRS 642.060](#), [642.063](#))

1. Evidence at a hearing will ordinarily be received from the parties in the following order:

(a) The Board or person who filed the charge or petition.

(b) Members of the staff of the Board, if different from the petitioner.

(c) The respondent.

(d) Rebuttal by the person who filed the charge or petition.

(e) If permitted by the Board, closing statements.

2. The Board may modify the order in which evidence is received.

(Added to NAC by Bd. of Funeral Dir., Embalmers, Cemeteries & Crematories, eff. 11-1-95)

NAC 642.240 Order of presentation: Consolidated hearing. ([NRS 642.060](#), [642.063](#))

The member of the Board presiding over a consolidated hearing will determine the order of evidence for the hearing.

(Added to NAC by Bd. of Funeral Dir., Embalmers, Cemeteries & Crematories, eff. 11-1-95; A by Funeral Bd. by R043-02, 11-26-2003)

NAC 642.245 Stipulations. ([NRS 642.060](#), [642.063](#)) The Board may allow the parties to stipulate to any fact at issue in the hearing, either by written stipulation introduced in evidence as an exhibit or by an oral agreement stipulated in the record. A stipulation is binding upon all parties who stipulated to the fact and will be treated as evidence at the hearing, except that the Board may require evidence of the facts stipulated to by the parties.

(Added to NAC by Bd. of Funeral Dir., Embalmers, Cemeteries & Crematories, eff. 11-1-95)

NAC 642.250 Official notice by Board. ([NRS 642.060](#), [642.063](#)) In addition to the facts which may be noticed pursuant to [NRS 233B.123](#), the Board may take notice of any regulations, official reports, decisions, orders, standards or records of the Board, any agency of the State or any court.

(Added to NAC by Bd. of Funeral Dir., Embalmers, Cemeteries & Crematories, eff. 11-1-95)

NAC 642.255 Decision or order by Board; service of decision or order; record of hearing. ([NRS 642.060](#), [642.063](#))

1. A charge or petition stands submitted for a decision by the Board after the hearing is complete.

2. Except as otherwise provided by specific statute, a decision or order will be rendered by the Board within 90 days after completion of the hearing.

3. The Board will serve a decision or order on the parties or their representatives by sending a copy by certified mail or by personal service. Additional copies of the decision or order may be obtained upon written request to the Board.

4. A person may obtain a copy of the record of the hearing from the Board.

(Added to NAC by Bd. of Funeral Dir., Embalmers, Cemeteries & Crematories, eff. 11-1-95)

NAC 642.260 Rehearing. ([NRS 642.060](#), [642.063](#))

1. Within 15 days after the Board renders a decision or order, the aggrieved party may apply for a rehearing by filing a written petition which sets forth the grounds for a rehearing. While the petition for a rehearing is pending, the aggrieved party shall comply with the decision or order of the Board, except upon order of the Board.

2. The Board will make a decision on a petition for a rehearing within 30 days after the effective date of the order or decision upon which the rehearing is requested. If the Board does not make a decision on the petition for a rehearing within 30 days, the petition shall be deemed denied.

3. The Board may order a rehearing on its own motion within 30 days after it renders a decision if it discovers that a mistake, fraud or misconception of fact existed when it rendered the original decision or order.

4. The Board will conduct a rehearing in accordance with the procedure for hearings.

(Added to NAC by Bd. of Funeral Dir., Embalmers, Cemeteries & Crematories, eff. 11-1-95)

MISCELLANEOUS PROVISIONS

NAC 642.300 Apprentice embalmers: "Full-time employees" interpreted. (NRS 642.063, 642.180) The Board interprets the term "full-time employees," as used in NRS 642.180, to mean employees who work not less than 32 hours a week.

(Added to NAC by Funeral Bd. by R021-04, eff. 10-31-2005)

NAC 642.XXX Recusal of Board Members.

1. In addition to any requirements for recusal set forth in NRS 281, a Board member shall recuse himself or herself from Board proceedings which involve situations in which the board member:

- (a) Has a conflict of interest;*
- (b) Cannot participate fairly and impartially; or*
- (c) Has been involved in any part of any investigation proceedings being voted upon.*

2. A Board member must disclose the reason for recusal prior to the Board's discussion of the matter, and may not vote or participate in the discussion upon recusal.

NAC 642.XXX Inspections

- 1. After any inspection conducted in accordance with NRS 642.067 or NRS 642.435 of any establishment, facility, crematory, or cemetery, the Board shall:*
 - a) Send notice within 30 days of any violations needing correction;*
 - b) Allow a 30 day period from receipt of the notice for the licensee to correct violations; and*
 - c) Verify compliance in any future inspections as determined by the Board inspector.*
- 2. Based on any acts or violations found during an inspection, or any violations not corrected within 30 days, the Board may initiate disciplinary proceedings pursuant to NRS 642.130, NRS 642.470, and NAC 642.180.*

NAC 642.XXX "Good moral character" interpreted:

The Board interprets the term, "good moral character" for issuance of any license, permit or certificate pursuant to Chapters 642, 451, and 452 of Nevada Revised Statutes to mean the individual:

- (a) Has never been convicted of a category A or B felony by a court of competent jurisdiction;*
- (b) Has not, within five years of application for licensure or registration, been convicted of a category C, D, or E felony*
- (c) Has not, within five years of application for licensure or registration, been convicted of a misdemeanor if the offense has a reasonable relationship to the person's proposed area of licensure or registration.*
- (d) Has not, within five years of application for licensure or registration, committed any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, gross negligence or incompetence if the act has a reasonable relationship to the person's proposed area of licensure or registration.*
- (e) Is not currently incarcerated or on community supervision after a period of imprisonment in a local, state or federal penal institution or on criminal probation.*

- (f) Has not engaged in fraud or misrepresentation in connection with an application for licensure or registration under this chapter or an examination required for licensure or registration.*
- (g) Has not, within five years of application for licensure or registration, had a license, registration or endorsement revoked or suspended by the Board or by the funeral services licensing authority of any other jurisdiction.*
- (h) Has not surrendered a license, registration or endorsement to the Board or the funeral licensing authority of any other jurisdiction in lieu of disciplinary action.*
- (i) Has not practiced funeral directing or embalming without a license in this state or any other jurisdiction that requires licensure to perform these activities.*

NAC 642.XXX Statement of funeral goods and services

1. The Statement of Funeral Goods and Services required pursuant to Title 16 of the Code of Federal Regulations must:

- (a) Be signed by the licensee making the arrangements and include the arranger, funeral director, or embalmer license number of the individual who made the arrangement.*

NAC 642.XXX Disclosures

A funeral establishment or direct cremation facility must disclose, in writing, the location where the deceased will be stored, embalmed and/or cremated if the location is not the funeral establishment or direct cremation facility premises where the goods and services were sold.

NAC.XXX Licensee Name and Location Changes

- 1. Any individual or business holding a license, permit, or certificate issued by the Board shall submit an application on a form prescribed by the board to issue a new license, permit, or certificate for any name change, and pay any applicable fees.*
- 2. Any funeral establishment, direct cremation facility, or crematory changing location shall:*
 - (a) Notify the Board at least 30 days prior to changing location;*
 - (b) Submit an application of a form prescribed by the Board to change the location;*
 - (c) Pass an inspection of the new location prior to operating at the new location and;*
 - (d) Pay any applicable fees.*

NAC642.XXX Crematory Operation Course Approval

1. The Board may approve crematory certification programs pursuant to NRS 451.635 if the course meets the following minimum standards:

- a) At least 6 hours in length*
- b) Offered on a national level by experts in the field*
- c) Covers at a minimum, best practices, terminology, principles of combustion, basics of equipment operation, and forms and record control*

2. Any course approval issued by the Board pursuant to this section shall be valid for a period of 5 years.

NAC 642.XXX “Continuing education” means a workshop, seminar, lecture, conference, class, Board meeting, or instruction relevant to the funeral industry.

NAC 642.XXX “Hour of continuing education” means 50 minutes of participation in continuing education.

NAC 642.XXX Continuing Education

1. Continuing education hours required pursuant to NRS 642.XXX do not need to be submitted to the Board for approval and are automatically approved if the hours are:

- (a) Approved by the Academy of Funeral Service Practitioners
- (b) Sponsored by national service organizations or associations
- (c) Sponsored by State associations
- (d) Provided by suppliers; or
- (e) Offered by a continuing education provider approved by the Board

2. Any continuing education not meeting the requirements set forth in NAC 642.XXX 1(a) through 1(e), shall be submitted to the Board for approval on a form prescribed by the Board and contain the following information:

- (a) An outline of the course
- (b) Qualifications of all presenters
- (c) Agenda detailing dates and times of all segments of the course

3. Continuing education hours may be obtained for completion of a crematory operator certification program approved by the Board pursuant to NRS 451.635 and NAC 642.XXX

4. Up to 4 hours of continuing education per renewal cycle may be obtained by physically attending any Funeral and Cemetery Services Board meetings provided that:

- (a) The Executive Director or member of the Board has provided signed documentation of attendance at the conclusion of the meeting.

5. Pursuant to NRS 642.XXX, proof of completion of continuing education shall be maintained for a period of 5 years.

6. The Board shall audit a percentage of licensees every renewal cycle by requiring the licensee to submit verification of the required continuing education hours prior to license renewal.

7. If the licensee is unable to provide proof of continuing education pursuant to NAC 642.XXX, the Board may proceed with disciplinary action pursuant to NRS 642.130 or NRS 642.470.

8. The Board may waive the continuing education requirements for any active duty military personnel upon request.

9. Any licensee who is currently on inactive status shall be exempt from the continuing education requirements while the license is inactive and must only provide proof of 12 continuing education hours within the last two years prior to reactivation of a license pursuant to NRS 642.115 or NRS 642.455

NAC 642.XXX Embalming Reports

1. Within 24 hours after the embalming procedure, an embalming case report shall be prepared describing the elapsed time since death, condition of the remains before and after embalming, and embalming procedures used.
2. The embalming report must be signed by the Embalmer or Apprentice Embalmer who performed the embalming procedures.

NAC 642.XXX Dignity of Human Remains

- 1. Any location issued a license or permit by the Board shall ensure that all human remains are treated with dignity and respect at all times.*
- 2. Diligent effort shall be made to maintain the privacy of the human remains.*
- 3. While refrigerated and/or after embalming procedures have been completed, human remains shall either be clothed or completely covered.*
- 4. At no time shall human remains be stored directly on the floor of any room used to store human remains, including but not limited to any refrigeration units.*
- 5. Human remains shall be stored and transported face up at all times.*
- 6. Bodies shall not be piled one on top of another for storage or transportation.*
- 7. Any location where human remains are stored shall be maintained in a sanitary and professional manner.*

NAC 642.XXX Funeral Arranging

The practice of funeral arranging shall be construed to consist of the following functions, which may be performed only by a licensed funeral arranger, licensed funeral director, or licensed embalmer:

- (a) Selling or offering to sell funeral services, embalming, cremation, or other services relating to the final disposition of human remains on an at-need basis.*
- (b) Planning or arranging the details of funeral services, embalming, cremation, or other services relating to the final disposition of human remains, with the parties authorized to order the disposition of the decedent's remains.*
- (c) Making, negotiating, or completing the financial arrangements for funeral services, embalming, cremation, or other services relating to the final disposition of human remains, on an at-need basis.*

NAC 642.XXX Funeral Directing

1. The practice of funeral directing shall be construed to consist of the following functions, which may be performed only by a licensed funeral director:

- (a) Managing of a funeral establishment or direct cremation facility pursuant to NRS 642.345 except for administrative matters such as budgeting, accounting and personnel, and routine clerical and recordkeeping functions.*
- (b) Preparing, signing and filing of death certificates, burial permits, and other documents pursuant to NRS 440*
- (c) Ensuring all statutes and regulations are followed for transport of a body into or out of the State*

2. The practice of funeral directing shall NOT be construed to consist of the following:

- (a) Removing or transporting human remains from the place of death, or removing or transporting human remains from or to a funeral establishment, cemetery, crematory, medical examiner's office, common carrier, or other locations as authorized and provided by law.*

NAC 642.XXX Embalming

1. *The practice of embalming shall be construed to consist of the following functions, which may be performed only by a licensed embalmer or apprentice embalmer under the direct supervision of a licensed embalmer:*
 - (a) *Application or injection of any disinfecting or preservation solutions upon or into a dead human body*
 - (b) *Aspiration of any fluids from a dead human body*
 - (c) *Setting features*
 - (d) *Suturing of a dead human body*
 - (e) *Completing any post-autopsy or post-accident restoration*
 - (f) *Removal of any device or prosthetic implanted in the dead human body*
 - (g) *Preparation for transport of bodies out of the state*
2. *Nothing in this section restricts the authority of a coroner or medical examiner when human remains are under his or her jurisdiction.*

NAC 642.XXX Direct Cremation Facilities

1. Every direct cremation facility in this state shall require the person or persons arranging for a direct cremation, sign a disclosure prior to the time of direct cremation, which states, in addition to any other disclosure required by any statute or regulations that:

- (a) *The direct cremation facility cannot provide in any rites or ceremonies in connection with the final disposition of the remains;*
 - (b) *The direct cremation facility cannot provide facilities for rites or ceremonies in connection with the final disposition of the remains;*
 - (c) *The direct cremation facility cannot provide embalming*
 - (d) *The direct cremation facility cannot provide any burial services*
 - (e) *There can be no viewing of the body except at a licensed funeral establishment for the purpose of identification;*
- 2. A direct cremation facility shall not be listed in any advertisement or newspaper notice which may give the impression to the public that the direct cremation facility is, in any way, engaged in the practice of funeral service.*
- 3. No direct cremation facility shall allow or cause his or her name or the name of the direct cremation facility to be used in any obituary or death notice in which a ceremony or rite for the deceased is announced, unless such obituary or death notice makes it specifically clear that the direct cremation facility is not connected in any way to the ceremony or rite.*

NAC 451.XXX Maintenance of Records

- 1) *Pursuant to NRS 451.665, records shall be maintained for a period of at least 7 years.*
- 2) *Digital formats of records shall satisfy the requirements of section 1 of NAC 642.XXX.*

NAC 642.XXX Access to Licensed Embalmer

- 1) *Every funeral establishment must have access to a licensed embalmer either through employment or contract and shall furnish proof of such upon any inspection.*

CHAPTER 451 - DEAD BODIES

PRESERVATION

- [451.010](#) Embalming.
- [451.020](#) Severability.

CREMATION

- [451.050](#) Written authorization: Allowance of person to witness cremation; allowance of simultaneous cremation of remains of two or more persons.

TRANSPORTATION

- [451.100](#) Transportation by common carrier, agencies or other persons.
- [451.110](#) Bodies subject to trauma or disinterred more than 30 days after burial.
- [451.120](#) Transportation by funeral directors or embalmers.
- [451.130](#) Burial-transit permits.
- [451.140](#) Responsibility of Health Division.

PRESERVATION

NAC 451.010 Embalming. ([NRS 439.200](#))

1. At the direction of a physician, licensed to practice medicine in Nevada, who was last in attendance on a person known or suspected to have died of a communicable disease, or of any coroner or health officer who has knowledge or suspects that a person has died of a communicable disease in his jurisdiction, the ~~funeral director~~ *embalmer* shall embalm the dead body as soon as possible.

2. In a case where an autopsy or other medical examination is required, embalming must not be performed until authorized by the physician, coroner or health officer having jurisdiction over the body.

- 3. *A dead human body shall be embalmed or refrigerated at a temperature of not less than 45 degrees Fahrenheit within 24 hours of receiving remains.*
- 4. *Funeral directors, embalmers, and others assisting in the preparation of human remains for final disposition may delay refrigeration or remove human remains from refrigeration for the following activities:*
 - (a) Embalming;*
 - (b) Transporting;*
 - (c) Cremating or burying;*
 - (d) Viewing for identification for a period of time not to exceed one hour by a person able to identify the deceased;*
 - (e) Washing, anointing, clothing, praying over, viewing, or otherwise accompanying the deceased for a period of time not to exceed twenty-four hours by persons acting according to the directions of the deceased or the person having the right to control the disposition of the remains; or*
 - (f) As otherwise approved by the local health officer after evaluating specific circumstances, the need to protect public health, and recognition of religious beliefs.*
- 5. *A funeral director, embalmer, or other person assisting in the preparation of human remains for final disposition must prohibit activities otherwise allowed under subsection (4)(d) or 4(e) of this section if informed by a local health officer or medical examiner that such activities would pose a direct threat to human health.*
- 6. *Nothing in this section restricts the authority of a coroner or medical examiner when human remains are under his or her jurisdiction.*

~~—3. If a dead body has not been disposed of or otherwise preserved within 18 hours after the time of death, the facility must, in the interest of public health, take such steps as may be reasonably necessary to preserve the dead body or may store the dead body in a sealed container.~~

[Bd. of Health, Disposition of Dead Bodies Reg. Art. I, eff. 4-21-78]

NAC 451.020 Severability. ([NRS 439.200](#)) If any provision of [NAC 451.010](#) is declared unconstitutional or invalid for any reason, the remainder of its provisions are not affected thereby.

[Bd. of Health, Disposition of Dead Bodies Reg. Art. II, eff. 4-21-78]

CREMATION

NAC 451.050 Written authorization: Allowance of person to witness cremation; allowance of simultaneous cremation of remains of two or more persons. ([NRS 451.640](#), [451.685](#), [642.063](#))

1. Before an operator of a crematory allows:

(a) A person to witness a cremation, the operator shall obtain, on a form provided by the crematory, written authorization from a person authorized pursuant to [NRS 451.650](#) to order the cremation of human remains.

(b) The remains of two or more persons to be simultaneously cremated in the same chamber, the operator shall obtain, on a form provided by the crematory, written authorization from the agent of each person whose remains are to be simultaneously cremated.

2. A form required pursuant to subsection 1 must:

(a) Be written in language that is easily understood;

(b) Include a clear explanation of the purpose of the form; and

(c) Be maintained by an operator of a crematory for 1 year after the cremation of the remains of a person.

3. Any failure by the operator of a crematory to maintain the written documentation required by paragraph (c) of subsection 2 is a violation of this chapter.

(Added to NAC by Funeral Bd. by R043-02, 11-26-2003)

TRANSPORTATION

NAC 451.100 Transportation by common carrier, agencies or other persons. ([NRS 439.200](#))

1. The bodies of persons who have died from any cause must not be received for transportation by a common carrier or transported by agencies or other persons authorized to carry human bodies unless the body has been ~~embalmed and~~ prepared *in a manner suitable for they type of transportation and distance of travel* by an embalmer licensed under the laws of Nevada

2. The bodies of persons who have died from any cause must not be received *by a common carrier or forwarded* for transportation by a common carrier unless the body is ~~placed in a sound casket and~~ enclosed in a *heat-sealed, fully hermetic body bag* ~~transportation case~~ adequate to prevent the seepage of fluids and the escape of offensive odors.

[Bd. of Health, Transportation of Dead Bodies Reg. § 1, eff. 3-15-66]

NAC 451.110 Bodies subject to trauma or disinterred more than 30 days after burial. ([NRS 439.200](#)) The body of a person, or the remains of the body of a person, whose death was caused by a severe trauma, or the remains of a human dead body in which decomposition has occurred and in which either the effects of the trauma or decomposition prohibit normal

embalming and preparation procedures or a body disinterred more than 30 days after burial may be transported only:

1. In a sealed casket enclosed in a transportation case;
2. In a sound casket with a sealed inner liner enclosed in a transportation case; or
3. In a sound casket encased in a sealed transportation case.

[Bd. of Health, Transportation of Dead Bodies Reg. § 2, eff. 3-15-66]

NAC 451.120 Transportation by funeral directors or embalmers. (NRS 439.200) Nothing in [NAC 451.100](#) to [451.140](#), inclusive, prohibits or limits in any respect the transportation of dead human bodies within Nevada by licensed funeral directors or embalmers in properly licensed motor vehicles or aircraft owned, operated, chartered or leased by licensed funeral directors or mortuaries, nor prohibits the transportation of **embalmed** bodies within Nevada by relatives or other authorized persons.

[Bd. of Health, Transportation of Dead Bodies Reg. § 4, eff. 3-15-66]

NAC 451.130 Burial-transit permits. (NRS 439.200)

1. When bodies are shipped by common carrier or transported by an agency or by any other person authorized to carry human bodies, a burial-transit permit must be made out in duplicate.

2. One copy of the burial-transit permit must accompany the body. The duplicate copy of the permit must be attached to and accompany the waybill covering the remains, and be delivered with the body at the point of destination to the person to whom it is consigned.

[Bd. of Health, Transportation of Dead Bodies Reg. § 3, eff. 3-15-66]

NAC 451.140 Responsibility of Health Division. (NRS 439.200) Nothing in [NAC 451.100](#) to [451.140](#), inclusive, makes the Health Division of the Department of Health and Human Services responsible for any financial obligations incurred by the fulfillment of those sections, except as provided by law.

[Bd. of Health, Transportation of Dead Bodies Reg. § 5, eff. 3-15-66]

NAC 451.XXX Identity of Deceased Awaiting Cremation

1. *All bodies awaiting cremation must be properly identified at all times.*
2. *Identity of the deceased must be maintained throughout the entire cremation process.*
3. *The identifying document or label required for the urn pursuant to NRS 451.680 must be affixed to the urn in a secure manner.*



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

PMB 186, 4894 Lone Mountain Road, Las Vegas, Nevada, 89130
Phone (775) 825-5535 * Email nvfuneralboard@outlook.com

AGENDA ITEM 19: Deferred Compensation Interlocal

Request approval for interlocal agreement for any Board employees to be able to contribute to the State's 451 plan. This is no cost to the Board, but allows employees to contribute pre-tax income to a retirement account.

INTERLOCAL CONTRACT BETWEEN PUBLIC AGENCIES

A Contract Between the State of Nevada
Acting By and Through Its

State of Nevada Public Employees' Deferred Compensation Committee
(Committee)
100 North Stewart Street, Suite 210
Carson City, NV 89701

and

Funeral and Cemetery Services Board
(Political Subdivision)
501 Hammill Lane
Reno, NV 89511

WHEREAS, NRS 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform;

WHEREAS, NRS 287.250 to 287.370, inclusive, authorize the Committee to create a program for deferred compensation, and whereas NRS 287.381 to 287.480, inclusive, authorize the political subdivision to create a program for deferred compensation;

WHEREAS, The Committee has created a deferred compensation program and pursuant to that program has entered into contracts with contracted Recordkeeper(s) with whom participants in the program may invest their deferred compensation;

WHEREAS, The investment options and fee and rate structure of the contracted Recordkeeper(s) in their contract with the Committee are considered by the Political Subdivision to be generally more favorable than that which would be available to the Political Subdivision if the Political Subdivision were to independently contract with the Recordkeeper(s);

WHEREAS, the Political Subdivision desires to join the program created by the Committee in order to obtain the more favorable investment options, fees and rates;

WHEREAS, the Committee desires to have the Political Subdivision participate in the Committee's program subject to the same terms and conditions as apply to state employee participants, except for limitations expressly provided below;

WHEREAS, the Committee has secured the consent of the contracted Recordkeeper to enroll the Political Subdivision's employees as participants in the Committee's program subject to the same terms and conditions as apply to state employee participants, except for limitations expressly provided below;

NOW, THEREFORE, in consideration of the aforesaid premises, the parties mutually agree as follows:

1. REQUIRED APPROVAL. This Contract shall not become effective until and unless approved by appropriate official action of the governing body of each party.
2. DEFINITIONS. "State" means the State of Nevada and any state agency identified herein (the Committee), its officers, employees and immune contractors as defined in

NRS 41.0307. Unless the context otherwise requires, "program" is synonymous with "plan" and "state of Nevada deferred compensation committee plan".

3. CONTRACT TERM. This Contract shall be effective on January 1, 2015 with no termination date, unless sooner terminated by either party as set forth in this Contract.

4. TERMINATION. This Contract may be terminated without cause by either party prior to the terms set forth in paragraph (3), provided that a termination shall not be effective until 60 days after a party has served written notice upon the other party. This Contract may be terminated by mutual consent of both parties or unilaterally by either party without consent of the other. The parties expressly agree that this Contract shall be terminated immediately if for any reason federal and/or State Legislature funding ability to satisfy this Contract is withdrawn, limited, or impaired. Benefits accrued by participating employees of the Political Subdivision upon termination of participation in the plan shall remain in the plan until such are otherwise eligible for distribution under the terms of the plan.

5. NOTICE. All notices or other communications required or permitted to be given under this Contract shall be in writing and shall be deemed to have been duly given if delivered personally in hand, by telephonic facsimile with simultaneous regular mail, or mailed certified mail, return receipt requested, postage prepaid on the date posted, and addressed to the other party at the address set forth above.

6. INCORPORATED DOCUMENTS. The parties agree that the services to be performed shall be specifically described; this Contract incorporates the following attachments in descending order of constructive precedence:

ATTACHMENT A: The State of Nevada Deferred Compensation Committee Plan Document.

7. ASSENT.

- a. The parties agree that the terms and conditions listed on incorporated attachments of this Contract are also specifically a part of this Contract and are limited only by their respective order of precedence and any limitations expressly provided.
- b. Except as agreed otherwise in paragraphs 3 and 4, the Political Subdivision agrees:
 - 1) To participate in the Committee's deferred compensation program subject to all contract terms and conditions as set forth between the State of Nevada Employees' Deferred Compensation Committee;
 - 2) To be bound by all current and any future State of Nevada Employees' Deferred Compensation Committee "Plan Documents" and "Investment Policies and Procedures";
 - 3) To cooperate with the contracted Recordkeeper(s) and to provide all necessary and appropriate administrative services to enable Political Subdivision employees to participate in the Committee's deferred compensation program; and
 - 4) To provide an appeal process to Political Subdivision employees for denials of requests by Political Subdivision employees to make unforeseen emergency withdrawals from the program and to abide by any guidelines established by the Committee for this purpose.

- c. The Political subdivision agrees that it has made its decision to participate in the program based on its own independent analysis and that neither the State of Nevada nor the Committee are fiduciaries with regard to its decision to participate in the program.
- d. The Committee agrees to authorize the contracted Recordkeeper(s) to enroll employees of the Political Subdivision on terms and conditions consistent with this agreement. Execution of this agreement by the Committee constitutes such authorization.

8. INSPECTION & AUDIT.

- a. Books and Records. Each party agrees to keep and maintain under general accepted accounting principles full, true and complete records, agreements, books, and documents as are necessary to fully disclose to the State or United States Government, or their authorized representatives, upon audits or reviews, sufficient information to determine compliance with all state and federal regulations and statutes.
- b. Inspection & Audit. Each party agrees that the relevant books, records (written, electronic, computer related or otherwise), including but not limited to relevant accounting procedures and practices of the party, financial statements and supporting documentation, and documentation related to the work product shall be subject, at any reasonable time, to inspection, examination, review, audit, and copying at any office or location where such records may be found, with or without notice by the State Auditor, Employment Security, the Department of Administration, Budget Division, the Nevada State Attorney General's Office or its Fraud Control Units, the State Legislative Auditor, and with regard to any federal funding, the relevant federal agency, the Comptroller General, the General Accounting Office, the Office of the Inspector General, or any of their authorized representatives.
- c. Period of Retention. All books, records, reports, and statements relevant to this Contract must be retained a minimum three years and for five years if any federal funds are used in this Contract. The retention period runs from the date of termination of this Contract. Retention time shall be extended when an audit is scheduled or in progress for a period reasonably necessary to complete an audit and/or to complete any administrative and judicial litigation which may ensue.

9. BREACH; REMEDIES. Failure of either party to perform any obligation of this Contract shall be deemed a breach. Except as otherwise provided for by law or this Contract, the rights and remedies of the parties shall not be exclusive and are in addition to any other rights and remedies provided by law or equity, including but not limited to actual damages, and to a prevailing party reasonable attorneys' fees and costs. It is specifically agreed that reasonable attorneys' fees shall include without limitation \$125 per hour for State-employed attorneys.

10. LIMITED LIABILITY. The parties will not waive and intend to assert available NRS chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. Actual damages for any State breach shall never exceed the amount of funds which have been appropriated for payment under this Contract, but not yet paid, for the fiscal year budget in existence at the time of the breach.

11. FORCE MAJEURE. Neither party shall be deemed to be in violation of this Contract if it is prevented from performing any of its obligations hereunder due to strikes, failure of public

transportation, civil or military authority, act of public enemy, accidents, fires, explosions, or acts of God, including, without limitation, earthquakes, floods, winds, or storms. In such an event the intervening cause must not be through the fault of the party asserting such an excuse, and the excused party is obligated to promptly perform in accordance with the terms of the Contract after the intervening cause ceases.

12. INDEMNIFICATION.

- a. To the fullest extent of limited liability as set forth in paragraph (10) of this Contract, each party shall indemnify, hold harmless and defend, not excluding the other's right to participate, the other from and against all liability, claims, actions, damages, losses, and expenses, including but not limited to reasonable attorneys' fees and costs, arising out of any alleged negligent or willful acts or omissions of the party, its officers, employees and agents. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this paragraph.
- b. The indemnification obligation under this paragraph is conditioned upon receipt of written notice by the indemnifying party within 30 days of the indemnified party's actual notice of any actual or pending claim or cause of action. The indemnifying party shall not be liable to hold harmless any attorneys' fees and costs for the indemnified party's chosen right to participate with legal counsel.

13. INDEPENDENT PUBLIC AGENCIES. The parties are associated with each other only for the purposes and to the extent set forth in this Contract, and in respect to performance of services pursuant to this Contract, each party is and shall be a public agency separate and distinct from the other party and, subject only to the terms of this Contract, shall have the sole right to supervise, manage, operate, control, and direct performance of the details incident to its duties under this Contract. Nothing contained in this Contract shall be deemed or construed to create a partnership or joint venture, to create relationships of an employer-employee or principal-agent, or to otherwise create any liability for one agency whatsoever with respect to the indebtedness, liabilities, and obligations of the other agency or any other party.

14. WAIVER OF BREACH. Failure to declare a breach or the actual waiver of any particular breach of the Contract or its material or nonmaterial terms by either party shall not operate as a waiver by such party of any of its rights or remedies as to any other breach.

15. SEVERABILITY. If any provision contained in this Contract is held to be unenforceable by a court of law or equity, this Contract shall be construed as if such provision did not exist and the non-enforceability of such provision shall not be held to render any other provision or provisions of this Contract unenforceable.

16. ASSIGNMENT. Neither party shall assign, transfer or delegate any rights, obligations or duties under this Contract without the prior written consent of the other party.

17. OWNERSHIP OF PROPRIETARY INFORMATION. Unless otherwise provided by law any reports, histories, studies, tests, manuals, instructions, photographs, negatives, blue prints, plans, maps, data, system designs, computer code (which is intended to be consideration under this Contract), or any other documents or drawings, prepared or in the course of preparation by either party in performance of its obligations under this Contract shall be the joint property of both parties.

18. PUBLIC RECORDS. Pursuant to NRS 239.010, information or documents may be open to public inspection and copying. The parties will have the duty to disclose unless a particular record is made confidential by law or a common law balancing of interests.

19. CONFIDENTIALITY. Each party shall keep confidential all information, in whatever form, produced, prepared, observed or received by that party to the extent that such information is confidential by law or otherwise required by this Contract.

20. PROPER AUTHORITY. The parties hereto represent and warrant that the person executing this Contract on behalf of each party has full power and authority to enter into this Contract and that the parties are authorized by law to perform the services set forth in paragraph 6.

21. GOVERNING LAW; JURISDICTION. This Contract and the rights and obligations of the parties hereto shall be governed by, and construed according to, the laws of the State of Nevada. The parties consent to the jurisdiction of the Nevada district courts for enforcement of this Contract.

22. ENTIRE AGREEMENT AND MODIFICATION. This Contract and its integrated attachment(s) constitute the entire agreement of the parties and such are intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Contract specifically displays a mutual intent to amend a particular part of this Contract, general conflicts in language between any such attachment and this Contract shall be construed consistent with the terms of this Contract. Unless otherwise expressly authorized by the terms of this Contract, no modification or amendment to this Contract shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto, approved by the Office of the Attorney General.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be signed and intend to be legally bound thereby.

Funeral and Cemetery Services Board
(Political Subdivision)

By: _____

Date

Title

Attorney for (Political Subdivision) (optional)

Date

Nevada Public Employees' Deferred Compensation Program

State of Nevada Employees' Deferred Compensation
Program Coordinator

Date

Chairperson
Nevada Deferred Compensation Program

Date

Approved as to form by:

Deputy Attorney General for Attorney General

Date

Amended 10/2014



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

PMB 186, 4894 Lone Mountain Road, Las Vegas, Nevada, 89130
Phone (775) 825-5535 * Email nvfuneralboard@outlook.com

AGENDA ITEM 20: Financial Reports

Attachments:

Regulatory Fee Collection Report

Revised Budget vs. Actuals for FY2015

State of Nevada Funeral and Cemetery Services
SALES BY CUSTOMER SUMMARY
July 2014 - June 2015

	JUL 2014	AUG 2014	SEP 2014	OCT 2014	NOV 2014	DEC 2014	JAN 2015	FEB 2015	MAR 2015	APR 2015	MAY 2015	JUN 2015	TOTAL
Autumn Funeral & Cremations	240.00	190.00	190.00	180.00	170.00	370.00	250.00	180.00	140.00	210.00	400.00		\$2,520.00
Bunker's Eden Vale Mortuary	570.00	620.00	650.00	730.00	480.00	740.00	780.00	720.00	790.00	800.00	570.00		\$7,450.00
Burns Funeral Home, Inc.	210.00	150.00	190.00	220.00	310.00	270.00	280.00	150.00	260.00	200.00	260.00		\$2,500.00
Davis Funeral Home & Memorial Park													\$0.00
Las Vegas Cremations										160.00	100.00		\$260.00
South Eastern Avenue	890.00	650.00	710.00	810.00	760.00	790.00	880.00	710.00	760.00	810.00	840.00		\$8,610.00
West Charleston Blvd	180.00	90.00	200.00	150.00	200.00	180.00	210.00	190.00	120.00	70.00	50.00		\$1,640.00
Total Davis Funeral Home & Memorial Park	1,070.00	740.00	910.00	960.00	960.00	970.00	1,090.00	900.00	880.00	1,040.00	990.00	0.00	\$10,510.00
Final Wishes Funeral Home	310.00	120.00	210.00	110.00	110.00	220.00	180.00	100.00	170.00	120.00			\$1,650.00
Freitas Ruprecht Funeral Home	80.00	120.00	60.00	100.00	70.00	100.00	130.00	30.00	110.00	70.00	40.00		\$910.00
Funeral Smith	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		\$0.00
Funeraria Casa De Paz	10.00	60.00	80.00	110.00	140.00	150.00	110.00	150.00					\$810.00
Gunter's Hawthorne Funeral Home	40.00	80.00	30.00	80.00	80.00	70.00	80.00	40.00	70.00	70.00	60.00		\$700.00
Heritage Mortuary	60.00	100.00	30.00	90.00	100.00	70.00	130.00	100.00	130.00	150.00	90.00		\$1,050.00
Hites Enterprises, Inc.	890.00	980.00	730.00	880.00	770.00	720.00	860.00	810.00	960.00	960.00			\$8,570.00
Kraft-Sussman Funeral Services	300.00	250.00	330.00	340.00	270.00	380.00	450.00	330.00	270.00	360.00	370.00		\$3,650.00
La Paloma Funeral Services													\$0.00
La Paloma - Longley	110.00	40.00	140.00	130.00	80.00	100.00	130.00	40.00	110.00	90.00	170.00		\$1,140.00
La Paloma - Stephanie	760.00	750.00	660.00	660.00	330.00	570.00	930.00	770.00	940.00	790.00	660.00		\$7,820.00
Total La Paloma Funeral Services	870.00	790.00	800.00	790.00	410.00	670.00	1,060.00	810.00	1,050.00	860.00	830.00	0.00	\$8,960.00
McDermott Funeral Home, LLC	1,660.00	580.00	560.00	660.00	640.00	780.00	730.00	680.00	920.00	710.00	780.00		\$8,700.00
Mountain View Mortuary	300.00	180.00	240.00	170.00	290.00	130.00	110.00	250.00	210.00	280.00	130.00		\$2,290.00
Mountain Vista Chapel	50.00	30.00	30.00	60.00	80.00	100.00	90.00	40.00	60.00	60.00	70.00		\$670.00
Pahrump Family Mortuary Group	220.00	200.00	190.00	200.00	270.00	180.00	250.00	210.00	280.00	240.00	190.00		\$2,430.00
Reno Cremation & Burial Services	70.00	30.00	70.00	150.00	20.00	100.00	60.00	60.00	240.00	70.00			\$870.00
SCI													\$0.00
Alderwoods (Nevada) Inc.													\$0.00
Thomas and Jones - Foremaster Lane	110.00	130.00	100.00	70.00	80.00	120.00	170.00	80.00	200.00	170.00	120.00		\$1,350.00
Total Alderwoods (Nevada) Inc.	110.00	130.00	100.00	70.00	80.00	120.00	170.00	80.00	200.00	170.00	120.00	0.00	\$1,350.00
KeyStone America													\$0.00
FitzHenry's - Fairview	220.00	180.00	180.00	140.00	140.00	180.00	210.00	240.00	180.00	100.00	150.00		\$1,930.00
FitzHenry's - Highway 395	110.00	90.00	40.00	100.00	100.00	80.00	120.00	50.00	80.00	100.00	30.00		\$900.00
Total Keystone America	330.00	270.00	220.00	240.00	240.00	260.00	330.00	290.00	270.00	200.00	180.00	0.00	\$2,830.00
Neptune Management Corp.													\$0.00
Neptune Society - Del Webb	360.00	470.00	490.00	400.00	520.00	660.00	650.00	450.00	610.00	400.00	490.00		\$5,500.00
Neptune Society - West Moana	250.00	310.00	230.00	270.00	200.00	340.00	320.00	360.00	260.00	250.00	290.00		\$3,080.00
Total Neptune Management Corp.	610.00	780.00	720.00	670.00	720.00	1,000.00	970.00	810.00	870.00	650.00	780.00	0.00	\$8,580.00
Palm Mortuaries													\$0.00
Affordable Cremation - Decatur	730.00	630.00	710.00	780.00	700.00	830.00	1,060.00	700.00	960.00	830.00	760.00		\$8,690.00
King David - Eldorado	130.00	170.00	180.00	130.00	90.00	230.00	100.00	170.00	150.00	180.00	70.00		\$1,580.00
Palm - Boulder Hwy	250.00	230.00	260.00	300.00	290.00	430.00	290.00	410.00	400.00	300.00	260.00		\$3,420.00
Palm - Cheyenne	370.00	460.00	420.00	410.00	400.00	570.00	440.00	510.00	570.00	450.00	450.00		\$4,830.00
Palm - Downtown (N Main)	590.00	660.00	540.00	770.00	650.00	550.00	800.00	860.00	680.00	560.00	620.00		\$7,280.00
Palm - South Jones	360.00	370.00	430.00	450.00	390.00	440.00	480.00	460.00	470.00	370.00	420.00		\$4,640.00
Palm Eastern - Eastern	910.00	1,070.00	1,080.00	980.00	1,160.00	1,200.00	1,240.00	1,000.00	1,060.00	810.00	1,010.00		\$11,530.00
Palm Northwest - North Jones	420.00	460.00	390.00	360.00	340.00	380.00	510.00	450.00	410.00	350.00	510.00		\$4,580.00
Total Palm Mortuaries	3,760.00	4,050.00	3,990.00	4,190.00	4,020.00	4,630.00	4,920.00	4,480.00	4,640.00	3,770.00	4,100.00	0.00	\$46,550.00
Total SCI	4,810.00	5,230.00	5,030.00	5,170.00	5,060.00	6,010.00	6,390.00	5,660.00	5,980.00	4,790.00	5,180.00	0.00	\$59,310.00
Serenity VII, LLC													\$0.00
Desert Memorial	1,250.00	1,390.00	1,640.00	1,300.00	1,600.00	1,430.00	1,710.00	1,280.00					\$11,600.00
Sunrise Cremation & Burial Society, LLC	340.00	500.00	450.00	530.00	420.00	480.00	500.00	320.00					\$3,540.00
Total Serenity VII, LLC	1,590.00	1,890.00	2,090.00	1,830.00	2,020.00	1,910.00	2,210.00	1,600.00	0.00	0.00	0.00	0.00	\$15,140.00
Simple Cremation, Inc. -													\$0.00

	JUL 2014	AUG 2014	SEP 2014	OCT 2014	NOV 2014	DEC 2014	JAN 2015	FEB 2015	MAR 2015	APR 2015	MAY 2015	JUN 2015	TOTAL
Nevada Funeral Service	80.00	30.00	130.00	60.00	130.00	150.00	70.00	90.00	100.00	160.00	60.00		\$1,060.00
Simple Cremation, Inc. - NW (Rancho)	780.00	550.00	510.00	470.00	400.00	480.00	680.00	530.00	600.00	620.00	590.00		\$6,210.00
Simple Cremation, Inc. - Reno	250.00	270.00	270.00	260.00	200.00	300.00	400.00	310.00	280.00	370.00	450.00		\$3,360.00
Simple Cremation, Inc. - SW (Durango)	410.00	420.00	530.00	540.00	390.00	630.00	760.00	650.00	700.00	560.00	610.00		\$6,200.00
Total Simple Cremation, Inc. -	1,520.00	1,270.00	1,440.00	1,330.00	1,120.00	1,560.00	1,910.00	1,580.00	1,680.00	1,710.00	1,710.00	0.00	\$16,830.00
Smith E LLC													\$0.00
Boulder City Family Mortuary	180.00	270.00	150.00	110.00	170.00	170.00	180.00	170.00	170.00	170.00	150.00		\$1,890.00
Smith Family Funeral Home	230.00	170.00	180.00	170.00	250.00	200.00	190.00	150.00	240.00	180.00	160.00		\$2,120.00
Total Smith E LLC	410.00	440.00	330.00	280.00	420.00	370.00	370.00	320.00	410.00	350.00	310.00	0.00	\$4,010.00
Sonoma Funeral Home	110.00	40.00	80.00	140.00	130.00	90.00	90.00	70.00	80.00	80.00	70.00		\$590.00
Southern Nevada Funeral Services, LLC	170.00	100.00	120.00	140.00	140.00	100.00	140.00	120.00	100.00	160.00	70.00		\$1,360.00
Total Southern Nevada Funeral Services, LLC	170.00	100.00	120.00	140.00	140.00	100.00	140.00	120.00	100.00	160.00	70.00	0.00	\$1,360.00
Southern Nevada Mortuary, LLC	40.00	50.00	20.00	30.00	70.00	80.00	40.00	60.00	40.00	20.00	30.00		\$480.00
The Funeral Directors Management Group													\$0.00
Moapa Valley & Virgin Valley Mortuaries	90.00	180.00	210.00	120.00	110.00	210.00	220.00	140.00	140.00	210.00	180.00		\$1,810.00
Total The Funeral Directors Management Group	90.00	180.00	210.00	120.00	110.00	210.00	220.00	140.00	140.00	210.00	180.00	0.00	\$1,810.00
The Gardens, LLC	60.00	110.00	180.00	140.00	110.00	160.00	140.00	70.00	80.00	100.00	100.00		\$1,250.00
Truckee Meadows Cremation & Burial Svcs	680.00	740.00	720.00	710.00	670.00	870.00	890.00	620.00	780.00	830.00	790.00		\$8,300.00
Valley Funeral Home	500.00	270.00	300.00	190.00	190.00	250.00	230.00	220.00	210.00	260.00	220.00		\$2,840.00
Walton's Inc													\$0.00
John Sparks Memorial Cremation	240.00	140.00	150.00	220.00	120.00	250.00	300.00	180.00	100.00	90.00	110.00		\$1,900.00
McCaffery Family Limited Partnership													\$0.00
Ross, Burke & Knobel Mortuary - Reno	410.00	240.00	270.00	400.00	300.00	270.00	280.00	370.00	240.00	270.00	140.00		\$3,190.00
Ross, Burke & Knobel Mortuary - Sparks	20.00	20.00	10.00	10.00	100.00	20.00	10.00	0.00	10.00	80.00	0.00		\$280.00
Total McCaffery Family Limited Partnership	430.00	260.00	280.00	410.00	400.00	290.00	290.00	370.00	250.00	350.00	140.00	0.00	\$3,470.00
Nevada Memorial Estate Plans													\$0.00
Affinity Burial & Cremation	270.00	220.00	230.00	340.00	240.00	300.00	150.00	130.00	90.00	90.00	40.00		\$2,100.00
Capitol City Cremation	100.00	230.00	170.00	240.00	100.00	100.00	310.00	160.00	230.00	160.00	80.00		\$1,880.00
Northern NV Memorial Cremation	0.00	80.00	160.00	80.00	100.00	150.00	160.00	150.00	80.00	90.00	70.00		\$1,120.00
Total Nevada Memorial Estate Plans	370.00	530.00	580.00	660.00	440.00	550.00	620.00	440.00	400.00	340.00	190.00	0.00	\$5,100.00
O'Brien Rogers & Crosby Funeral Home	10.00	60.00	140.00	80.00	40.00	100.00	90.00	60.00	170.00	100.00	50.00		\$990.00
Walton's Chapel of the Valley	220.00	280.00	350.00	270.00	250.00	280.00	250.00	190.00	320.00	340.00	180.00		\$2,940.00
Walton's Funerals and Cremations	100.00	110.00	130.00	70.00	100.00	200.00	110.00	350.00	100.00	110.00	80.00		\$1,460.00
Walton's Sierra Chapel	510.00	500.00	530.00	540.00	620.00	660.00	550.00	530.00	520.00	370.00	460.00		\$5,790.00
Walton's Sparks Funeral Home	170.00	160.00	140.00	180.00	170.00	290.00	210.00	0.00	190.00	70.00	290.00		\$1,870.00
Total Walton's Inc	2,050.00	2,040.00	2,280.00	2,430.00	2,140.00	2,630.00	2,420.00	2,120.00	2,050.00	1,770.00	1,500.00	0.00	\$23,430.00
TOTAL	\$18,980.00	\$17,580.00	\$18,100.00	\$18,350.00	\$17,350.00	\$20,260.00	\$21,690.00	\$18,140.00	\$18,090.00	\$16,500.00	\$14,940.00	\$0.00	\$199,980.00

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State of Nevada Funeral and Cemetery Services

BUDGET VS. ACTUALS: FY15 REVISED BUDGET - FY15 P&L

July 2014 - June 2015

	TOTAL			
	ACTUAL	BUDGET	REMAINING	% REMAINING
Income				
Administrative Fee (Reissue or Addl Lic)	1,525.00	750.00	-775.00	-103.33 %
Administrative Srv Fee(Inspection)	4,575.00	4,575.00	0.00	0.00 %
Approval of Managing Funeral Director	2,700.00	1,125.00	-1,575.00	-140.00 %
Cemetery Renewals	5,375.00	3,400.00	-1,975.00	-58.09 %
Crematory Renewals	4,400.00	4,000.00	-400.00	-10.00 %
Embalmer Renewals	20,550.00	12,600.00	-7,950.00	-63.10 %
Establishment Permit Renewals	20,500.00	12,200.00	-8,300.00	-68.03 %
Examinations	6,700.00	1,500.00	-5,200.00	-346.67 %
Fines and Miscellaneous Fees	13,275.90	1,000.00	-12,275.90	-1,227.59 %
Funeral Director Renewals	23,462.50	15,600.00	-7,862.50	-50.40 %
Initial Licensing	13,525.00	5,625.00	-7,900.00	-140.44 %
NV Regulatory Fee	206,990.00	192,000.00	-14,990.00	-7.81 %
Other Income	-8,160.00		8,160.00	
Study Guide	725.00	375.00	-350.00	-93.33 %
Total Income	\$316,143.40	\$254,750.00	\$ -61,393.40	-24.10 %
Gross Profit	\$316,143.40	\$254,750.00	\$ -61,393.40	-24.10 %
Expenses				
Administrative Fines	9,000.00		-9,000.00	
Administrative Wages	6,168.00		-6,168.00	
Attorney General - Legal Fees	15,587.84	20,000.00	4,412.16	22.06 %
Auditing	7,500.00	7,500.00	0.00	0.00 %
Background Checks	319.20	500.00	180.80	36.16 %
Bank fees	95.55	80.00	-15.55	-19.44 %
Board Member Compensation	1,800.00	3,900.00	2,100.00	53.85 %
Conferenc/Training Registration	2,479.95	2,300.00	-179.95	-7.82 %
Contractual services				
Bookkeeping	2,061.97	2,040.00	-21.97	-1.08 %
Dues and Tests	250.00		-250.00	
Total Contractual services	2,311.97	2,040.00	-271.97	-13.33 %
Employer Taxes	7,105.93	6,347.00	-758.93	-11.96 %
Equipment and Furnishings	8,291.90	9,000.00	708.10	7.87 %
Executive Director Salary	64,343.00	60,000.00	-4,343.00	-7.24 %
Inspector/Investigation Wages	15,638.00	22,960.00	7,322.00	31.89 %
Insurance	1,800.23	2,000.00	199.77	9.99 %
Licensing Software Subscription	3,903.00	9,107.00	5,204.00	57.14 %
Meeting Expenses	168.20	500.00	331.80	66.36 %
Office Lease	10,660.00	9,900.00	-760.00	-7.68 %
Office Supplies	3,866.48	3,600.00	-266.48	-7.40 %
Postage	1,527.80	2,000.00	472.20	23.61 %
Printing and Copying	2,983.69	3,000.00	16.31	0.54 %
Technical Support Web Site	3,513.33	3,500.00	-13.33	-0.38 %

	TOTAL			
	ACTUAL	BUDGET	REMAINING	% REMAINING
Telephone/Internet	1,585.07	1,800.00	214.93	11.94 %
Travel - In State	10,853.77	16,400.00	5,546.23	33.82 %
Travel - Out of State	7,300.62	9,000.00	1,699.38	18.88 %
Total Expenses	\$188,803.53	\$195,434.00	\$6,630.47	3.39 %
Net Operating Income	\$127,339.87	\$59,316.00	\$ -68,023.87	-114.68 %
Net Income	\$127,339.87	\$59,316.00	\$ -68,023.87	-114.68 %

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State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

PMB 186, 4894 Lone Mountain Road, Las Vegas, Nevada, 89130
Phone (775) 825-5535 * Email nvfuneralboard@outlook.com

AGENDA ITEM 21: Current Complaint Status

Attachment: Overview of current complaint status

Complaint Status - Funeral and Cemetery Service Board

Complaint Number	Date Received	Complaint Acknowledgement		233B Letter Sent	General Subject	Status
		Letter Sent				
FB14-18	12/9/2014	12/12/2014		3/30/2015		Under Investigation
FB15-01	1/27/2015	1/27/2015		3/9/2015	Delay in Disposition	Dismissed
FB15-02	Inspection	N/A		4/8/2015		Possible Consent Decree
FB15-03	Inspection	N/A		5/12/2015		Under Investigation
FB15-04	Inspection	N/A		5/26/2015		Under Investigation
FB15-05	Inspection	N/A		6/22/2015		Under Investigation



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

501 Hammill Lane, Reno, NV 89511
Phone (775) 825-5535 * Email nvfuneralboard@outlook.com

Executive Director Report – July 14, 2015

GL Suite Licensing

Websites for online renewal and payment are in progress. Individual on-line renewal site is near completion. Currently working on main login association for location renewals (trying to create one login for businesses with multiple locations). Additionally, work will need to be done to address legislative changes (new funeral arranger license and a two year renewal cycle).

Legislation

SB286 passed through both houses, and the Legislative Subcommittee has met to work on some of the regulations. Those will be sent to Legislative Counsel Bureau and the Board will then need to hold hearings/workshops for adoption, prepare small business impact statements, etc.

Testing

Agreement was signed with The Conference to update the Nevada Law Test that will be required of all licensees. 30 days prior to implementation of the new test, ED will send notification to anyone currently authorized to take the test that the test will be changing and that a new study guide is available. New test has fewer cemetery questions and FTC compliance questions have been added. The new study guide will be available at no cost on the website. The Board will continue to charge for mailing out physical copies of the study guide. The new study guide will contain sample questions, FAQ, and an FTC guide.

New Applications

New application forms are available for the funeral arranger license and the direct cremation permit. Funeral arrangers currently working will need to submit an application by December 1st for approval prior to January 1st.

ED Meetings

ED continues to attend monthly meetings with other Board Executive Directors.

Audit

Contract was signed for audit with same auditing firm used last year. Want to make sure everything is in order prior to moving to a two year audit cycle.